

# ***Town of Natick***

## **Spring Annual Town Meeting 2023 Finance Committee Recommendation Book**

**April 25, 2023**



# **Finance Committee 2023 Spring Annual Town Meeting Recommendation Book**

## **Table of Contents**

Finance Committee Letter to Town Meeting.....	4
Town Administrator’s Letter to Town Meeting .....	7
Select Board Report .....	11
Planning Board Report.....	12
Finance Committee Votes .....	15
2023 SATM Consent Agenda Motion .....	17
Town Meeting Motion Form.....	23
General Fund Revenue/Expenditure Summary .....	25
Free Cash Spending Plan.....	26
Stabilization Fund Balances .....	27
Revolving Funds .....	28
Tax Rate Recap & Snow & Ice Summary.....	29
Article 1—Authorize Select Board to Acquire, Obtain, Abandon or Relocate Easements.....	36
Article 2—Committee Article.....	39
Article 3—Elected Officials Salary .....	42
Article 4—Personnel Board Classification and Pay Plan.....	45
Article 5—Collective Bargaining.....	51
Article 6—Home Rule Petition: Natick Superior Officers – Exemption from Civil Service.....	53
Article 7—Omnibus Budget Articles.....	55
Article 8—Unpaid Bills.....	88
Article 9—Transfer of Unexpended Bond Proceeds.....	90
Article 10—Rescind Authorized, Unissued .....	91
Article 11—Revolving Funds .....	92
Article 12—Stabilization Funds and OPEB .....	94
Article 13—Capital Stabilization Account .....	97
Article 14—PEG Access and Cable Related Fund.....	99
Article 15—Capital Equipment and Improvement .....	101
Article 16—Adjust Asset Limit for Personal Exemption Clause 17D by Annual COLA.....	129

Article 17—Adjust Income and Asset Limits for Personal Exemption Clause 41C .....	132
by Annual COLA .....	
Article 18—Increase Personal Exemptions .....	135
Article 19—Home Rule Petition to Amend Chapter 336 of the Acts of.....	137
Article 20—Amend the Town of Natick By-Laws: Create New Committee .....	142
Article 21—Charter and ByLaw Review Committee Report and Counsel.....	149
Article 22—Disposition of 0 Shore Terrace and 4 Pine Ridge Road .....	152
Article 23—Amend the Town of Natick By-Law 79A .....	156
Article 24—Amend Zoning Bylaw: Establish Center Gateway Zoning.....	188
Article 25—Amend Zoning Bylaw: Use Regulations Schedule .....	209
Article 26—Amend Zoning Bylaw: Open Space Cluster Development.....	228
Article 27—Amend Zoning Bylaw: Inclusionary Housing .....	254
Article 28—Amend Zoning Bylaw: Highway Mixed-Use – I (HM-I) .....	271
Article 29—Zoning Map Amendments for the Highway Mixed-Use – I (HM-I).....	280
Article 30—Expansion of Assisted Living Overlay Option Plan (ALOOP).....	283
Article 31—Re-zoning of 24 N Main St., 26 N Main St., 30 N. Main St. ....	284
Article 32—New Town Seal .....	285
Article 33—Charles River Dam Advisory Committee Report .....	291
Article 34—Charles River Dam.....	298
Article 35—Dam Preservation Committee .....	301
APPENDIX	
Town Warrant.....	307



**Finance Committee  
Town of Natick, Massachusetts  
April 14, 2023**

**2023 Spring Annual Town Meeting**

Greetings to all Town Meeting Members, Taxpayers and Residents of Natick,

The Finance Committee is pleased to deliver the 2023 Spring Annual Town Meeting Recommendation Book for your reading pleasure. The Town Administrator's FY 2023 Town Administrator's Amended Preliminary Budget will be issued separately.

Visit the Finance Committee's Town Meeting Member Resource website, which will be updated throughout Spring Town Meeting for:

- Town Meeting information, including latest motions
- Budget documents from the Town Administration and Natick Public Schools
- Materials provided on all warrant articles
- Finance Committee agendas and meeting recordings
- Archival info from prior Town Meetings
- Financial Resources

<https://sites.google.com/natickma.org/fincom>

Under the Town's Charter, the Finance Committee is required to hold public hearings on the Town Administrator's proposed budget for each Town agency and "file a report containing its recommendations for actions on the proposed budget" (Natick Home Rule Charter Article 5 Section 6):

- Proposed appropriations for operating budgets are included in Article 7
- Proposed appropriations for capital expenditures are included in Article 15

Under the Town's By-Laws, the Finance Committee is also required to "consider all matters of business included within the articles of any warrant for a Town Meeting, and shall, after due consideration, report thereon, in print, its recommendation as to each article" (Natick By-Laws, Chapter 23, Section 4)

- In accordance with the Town of Natick Home Rule Charter and By-Laws, this Report and recommendations are respectfully submitted for your consideration
- A summary schedule of Finance Committee recommendations and votes on the various budgets for each Town agency and a separate summary schedule of

Finance Committee recommendations and votes by warrant article have been provided.

To fulfill its responsibilities under Article 5 of the Charter and Article 23 of the By Laws, the Finance Committee met a total of 12 times on the following dates:

- February 1
- March 7, 9, 14, 16, 21, 23, 28, 30
- April 4, 6, 11

The Finance Committee's report to Annual Town Meeting is also required under Article 23, Section 4 of the By-Laws to "contain a statement of the doings of the Committee during the year, with any such recommendations or suggestions as it may deem advisable on any matters pertaining to the welfare of the Town."

In 2022 the Finance Committee supported the Spring and Fall Annual Town Meetings. In 2023, the Finance Committee will support the Spring Annual Town Meeting and we will take up the articles under the 2023 Fall Annual Town Meeting in the fall.

In the fall of 2021, Town Meeting passed Article 14: Amend By-Laws: Dates of Spring Annual Town Meeting & Submission of Fiscal Documents, which moved the due date of the Town Administrator's Preliminary budget from January 1 to February 1 and adjusted the start of Spring Town Meeting to the fourth Tuesday following the town election.

This was the second year of the revised schedule, which effectively shortens the amount of time the Finance Committee has for budget review by two weeks. The schedule has proved challenging, but manageable, thanks in part to the high level of cooperation between Town Administration and the Natick Public Schools. The NPS budget did not change from the initial budget amount.

The February 1 budget was duly vetted during many Finance Committee Subcommittee hearings during February and March. Our General Government, Capital, Public Works and Education and Learning Subcommittees met 13 times to review budgets in depth. An Amended Preliminary budget book is in process and that budget is the basis for these recommendations.

Last year at this time, discussions were underway with Town Administration about the possibility an operational override for FY24. Better than expected new growth, rebounding local receipts and expense savings resulted in FY22 certified free cash of \$11.4M. This has delayed the need for an override and enabled the replenishment of stabilization funds which were heavily used to support operating budgets during the pandemic years.

In reaching its recommendations, the Finance Committee considered the information and comments presented from warrant article sponsors, Town department heads, Town and School Administrations, Town Boards and Commissions, and the public at large.

This Recommendation Book is the result of a large group effort. Many volunteers, especially the fifteen members of the Finance Committee as well as members of other committees and boards and Town staff, worked tirelessly to help bring all of this information to Town Meeting.

We would like to express our thanks and appreciation for all of the hard work and dedication contributed by all of the Town officials, members of boards, committees and departments, as well as many concerned citizens, for their cooperation, participation, and openness during our public hearings. Natick is fortunate and well served to have such high- quality professionals and volunteers acting on our behalf.

Information related to the Finance Committee may be found on the Town's public website, at the Finance Committee Web Page. Any questions or comments about the Finance Committee may also be submitted via email to [fincom@natickma.org](mailto:fincom@natickma.org).

#### Natick Finance Committee

Linda Wollschlager, Chair	Todd Gillenwater, Vice Chair	David Coffey, Secretary
Hossam Behery	Dirk Coburn	Cathy Coughlin
Larry Forshner	Cody Jacobs	Grace Keeney
Toby Metcalf	Richard Pope	Philip Rooney
Patti Sciarra	Betty Yobaccio	Dan Zitnick

April 13, 2023

**RE: Town Administrator's Letter to 2023 Spring Annual Town Meeting**

Dear Town Meeting Members,

It is with great excitement to provide the attached Fiscal Year (FY) 2024 Budget Message for the 2023 Spring Annual Town Meeting, as published on February 1, 2023 with the Preliminary FY 2024 Budget. Since the submission of the Preliminary Budget in February, few adjustments have been made and the Town's financial outlook remains strong and stable as noted in the Budget Message. This is a testament to the hard work, extensive research, and comprehensive team effort that went into building the budget from all town departments (General Government and School), supported by the Finance team.

As noted in the budget message, department heads and leaders throughout the organization were asked to critically and creatively analyze the requests and necessities of their teams' in order to continue to affordably provide high-quality, high-value services in an increasingly challenging and unpredictable market. Thanks to this hard work, the FY 2024 budget comes in balanced, successfully weighing the needs of the community against rebounding revenues, supply chain issues, rising interest rates, high inflation, labor shortages and other external market conditions. This is accomplished all while keeping true to our conservative budgeting principles, rebuilding our stabilization accounts, and making investments in much needed capital improvements.

I am particularly proud of the strong partnership that has developed over the past two years between Town and School administrations thanks in large part to the exceptional leadership of Superintendent Dr. Anna Nolin. To have such a supportive and trusted colleague in the School Department has afforded us the opportunity to collaborate on much needed efficiency initiatives and improvement projects throughout the organization including with facilities management, IT, payroll and human resources, and many other areas. These initiatives are supported by and reflected throughout the FY 2024 budget, and will continue for years to come.

While there are a number details to celebrate, this is also a difficult year given this is Dr. Nolin's last budget season as superintendent with the Natick Public School District. While I wish her the best of luck on her next endeavor, I must take this opportunity to thank Dr. Nolin for her years of service to the community, and express my personal gratitude for her guidance and collaboration during my first few years as Town Administrator - Thank you Anna.

With that, I urge your full support of the FY 2024 Budget as presented to the 2023 Spring Annual Town Meeting.

Very truly yours,



James Erickson  
Town Administrator

**TOWN ADMINISTRATOR'S  
FISCAL YEAR 2024 BUDGET MESSAGE  
FEBRUARY 1, 2023**

To the Honorable Select Board, School Committee, Finance Committee, and the Natick community, it is my pleasure to submit the Preliminary Budget for Fiscal Year (FY) 2024.

The formation of the FY 2024 budget is the culmination of extensive research and resourceful thinking, supporting a true team effort led by the Town's Finance division in partnership with the School Department. Department heads and leaders throughout the organization were asked to critically and creatively analyze the needs of their teams' work in providing high-quality, high-value services in an increasingly challenging and unpredictable fiscal environment. FY 2024 budget planning was a delicate balance between the strategic utilization of rebounding revenues, with rising interest rates, high inflation, and an increasingly tightened labor market. I applaud and appreciate the hard work of our department heads and leaders in making this FY 2024 budget come together.

The FY 2024 budget continues to benefit from the availability of pandemic relief funding, specifically American Rescue Plan Act or ARPA. Further, a healthy Free Cash number, certified in November of 2022 at approximately \$11.4 million, and stronger than expected local receipts, provides the Town with flexibility and stability for FY 2024, putting a pause to ongoing conversations regarding a potential operational override. These resources support continued investment in operational and programmatic advances in our schools and general government work, while also jumpstarting the rebuilding of the town's stabilization accounts and capital improvement program, which were heavily impacted during the pandemic. Though it is premature to say that the town has fully recovered from the pandemic, we are on a solid path forward as highlighted by the FY 2024 budget – which comes in stable and balanced.

**Economic Recovery & Revenues**

Throughout the second half of FY 2022 and the first part of FY 2023, the Town's revenue recovery is showing significant signs of improvement at a pace more quickly than anticipated given the economic impacts of the pandemic. Revenues are projected to be strong for FY 2024. **New Growth**, which posted an exceptional year in FY 22 (over \$1.8 million, appropriated at 2022 Fall Annual Town Meeting), is expected to cool due to increasing interest rates, but remain strong at \$1.1 million for FY 2024 due to the strength of the Natick market. **Local receipts** are rebounding exceptionally well, with year over year budget estimates up nearly 28% from FY 2023 to FY 2024 based on ongoing trends. This is still short of pre-pandemic levels, but shows we are nearing full recovery.

**Free Cash**, certified in November 2022, came in at approximately \$11.4 million - higher than anticipated thanks in part to rebounding local receipts and a continuing labor shortage causing open positions to remain unfilled (and therefore funds unspent) throughout the organization. This healthy Free Cash figure, in combination with rebounding local receipts, has allowed the FY 2024 budget to begin rebuilding General and Operational Stabilization accounts to near financial management target levels, ahead of schedule in FY 2024. As currently budgeted, **Operational Stabilization** account will increase to within 95% of our target and the **General Stabilization** account to within 80% of our target. Free Cash

will also be utilized to support rebuilding the Capital Improvement Program (allocating nearly \$2.6 million in FY 2024) and to support operational expenses (approximately \$4.5 million in FY 2024).

Estimated **State Aid** (unrestricted and Chapter 70) is unknown at this time in part due to the change in leadership at the Governor's office. State Aid figures are expected to be released in March. This preliminary budget conservatively estimates an approximately 4% increase in State Aid for FY 2024, consistent with historical trends. Should State Aid come in higher than expected – a possibility given the strength of the State's economy – this will allow us to further reduce our reliance of one-time funds (Free Cash and/or ARPA) to cover operational expenses, freeing up these funds to invest in our stabilization accounts (seeking full target levels) and supporting the Capital Improvement Program.

### **Inflation & Expenses**

Expenses are showing opposite trends from revenues throughout FY 2023, being heavily impacted by ongoing **supply chain issues, rising inflation, interest rate hikes, escalating energy costs, impacts from PFAS on public water, and the tightened labor market** making hiring and retention ever more challenging and expensive. Natick is feeling these impacts in our current fiscal year, and is reflecting these impacts throughout the FY 2024 budget in nearly all departments. This is especially apparent in the Department of Public Works which is seeking a budget increase of nearly 10% for FY 2024. Leadership is working diligently to mitigate these impacts to the extent possible – for example, by aggressively improving our energy purchasing program, applying for grant funds to cover costs, and working closely with vendors to mitigate supply chain and cost issues. While these impacts are anticipated to level off heading into FY 2025, the year ahead will be challenging for all departments as we continue to absorb these increases.

In addition, **Health Care** costs are expected to rise significantly (between 6% and 10%) for the fiscal year. Though final figures from our health care provider, the West Suburban Health Group, won't be available until later in February, this is an area of concern for FY 2024 and 2025 due to Fallon Health Care leaving the commercial market at the end of FY 2022. The impacts of this loss are currently being mitigated by our health care group until FY 2025 when West Suburban Health Group anticipates having a reworked health care plan portfolio, with updated costs, to offer town employees.

### **Structural Deficit**

The Town's structural deficit, whereby operational expenses exceed revenues (an issue we have been grappling with for nearly a decade) continues in FY 2024, though not to the same levels as during the pandemic. The use of one-time funding sources, including approximately \$4.5 million in Free Cash and \$3 million in ARPA (federal stimulus) funding, are necessary to balance the FY 2024 preliminary budget. This is a rebalancing year, whereby reliance on these one-time funds is lessening as compared to years past. In the coming years, this rebalancing must continue in order to address the operational deficit and work to fully fund our Capital Improvement Program.

### **School Department**

For the past several years, there has been a "gap" between what is outlined in the Town Administrator's preliminary budget and what the School Department needs to run a high-quality school system. I am excited to report that for the second year in a row, the FY 2024 preliminary budget does not include a

“gap”, and the approximately \$83.2 million provided for the School Department in the preliminary FY 2024 budget (an over 5 percent increase from the FY 2023 Town Meeting appropriation) will cover the needs of the department, including the School Bus Subsidy program. I want to thank the continued work of School Department staff, under the leadership of Superintendent Dr. Nolin, for their continued partnership, diligence in seeking grant funding, creativity in staffing, and thoughtful short and long range planning, helping to make our budgeting process more predictable for the Natick community.

### **Fiscal Policies**

Town Administration seeks to only use one-time revenues, such as Free Cash, to support one-time costs, such as capital investments, rather than operating expenses. With that said, it has been a long practice whereby Free Cash has been used to assist in balancing the budget. While FY 2024 is a year of transition, transitioning back to these policies over the next several years will lay a strong foundation for the next several fiscal years.

The following fiscal policies continue to be the focus of Town administration:

- *Rebuild reserve funds* – The FY 2024 budget seeks to fund Operational and General Stabilization accounts to near target levels according to our fiscal policies – ahead of schedule!
- *Invest in employees* – Recruit and retain talent. Investment in the Town’s most valuable asset through competitive compensation, modernized systems, and providing safe and improved work spaces supporting high quality services and schools.
- *Creative Debt Solutions* – Utilized short term borrowing (i.e. BANs) as well as permanent borrowing to support a robust capital program. The FY 2024 budget shifts short-term BANs to long-term debt.
- *Creative & Proactive Capital Investments* – Proactively invest in the town’s capital assets. The budget seeks to utilize a portion of Free Cash (nearly \$2.6 million) to invest in capital, with the potential for more investments throughout FY 2024.

### **Closing**

The past year has proven to be extremely challenging to predict what will happen next in municipal financing and economics. A year ago, the town was working to understand an unpredictable economic outlook, rising interest rates, potential new variants of COVID-19, the start of a geopolitical crisis impacting energy prices and an uncertain economy. While many of these impacts have led to very real costs impacts, thanks to strong and talented leadership amongst our ranks, Natick is in a much stronger position heading into FY 2024 than we could have predicted. This is largely due to the talented employees that make up the Natick team.

A special thank you to John Townsend, Gloria Huang, Dr. Anna Nolin, and all department heads, division leaders and staff for making this FY 2024 budget possible. This was a monumental effort that would not have been possible without the support and teamwork of our valued employees.

Sincerely,



James Errickson  
Town Administrator

## **MEMO**

**To:** Town Meeting Members  
**From:** Natick Select Board  
**Date:** April 13, 2023  
**Subject:** *Select Board Recommendations for 2023 Spring Annual Town Meeting*

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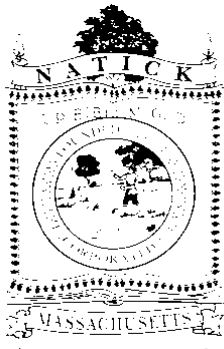
The table below shows the recommendations of the Natick Select Board for consideration by Town Meeting members of certain articles on the 2023 Spring Annual Town Meeting warrant. The Board respectfully requests the consideration of Town Meeting members when these articles are brought up for action.

Article #	Article Title	Sponsor	Select Board Recommendation to 2023 SATM		
			Date of Vote	Recommendation	Quantum
19	Home Rule Petition to Amend Chapter 336 of the Acts of 2004	Select Board	4/12/2023	Favorable Action	5-0-0
20	Amend the Town of Natick By-Laws: Create New Committee	Town Administrator	4/12/2023	Favorable Action	5-0-0
22	Disposition of 0 Shore Terrace and 4 Pine Ridge Road	Select Board	4/12/2023	Favorable Action	5-0-0
24	Amend Zoning Bylaw: Establish Center Gateway Zoning District	Planning Board	4/12/2023	Favorable Action	5-0-0
28	Amend Zoning Bylaw: Highway Mixed-Use – I (HM-I)	Town Administrator	4/12/2023	Favorable Action	5-0-0
29	Zoning Map Amendments for the Highway Mixed-Use – I (HM-I)	Town Administrator	4/12/2023	Favorable Action	5-0-0
33	Charles River Dam Advisory Committee Report	Saul Beaumont, et al.	4/12/2023	Un-favorable Action	5-0-0
34	Charles River Dam	Saul Beaumont, et al.	4/12/2023	Indefinite Postponement	5-0-0
35	Dam Preservation Committee	Michael Trinidad, et al.	4/12/2023	Indefinite Postponement	5-0-0

Respectfully,

Natick Select Board  
Bruce Evans, Chair

Cc: J. Errickson – Town Administrator  
F. Foss – Town Moderator  
D. Packer – Town Clerk  
L. Wollschlager – Chair, Finance Committee



**TOWN OF NATICK  
PLANNING BOARD**  
13 EAST CENTRAL STREET  
NATICK, MASSACHUSETTS  
01760

**PLANNING BOARD REPORT  
2023 SPRING ANNUAL TOWN MEETING**

~~~~~  
April 13, 2023

In accordance with Article 40, Section 6 of the By-Laws of the Town of Natick, the Planning Board provides herein its report on warrant article recommendations per Section 3-11(b) of the Charter.

**Articles requiring a public hearing**

The Planning Board held or has continued public hearings for the zoning bylaw-related Town Meeting articles, per M.G.L. c.40A s. 5 as follows:

| Warrant Article | Date(s) of Public Hearing     |
|-----------------|-------------------------------|
| 24              | Feb 15, Mar 1, Mar 15, Mar 29 |
| 25              | Mar 15, Mar 29                |
| 26              | Mar 15, Mar 29                |
| 27              | Mar 15, Mar 29                |
| 28              | Mar 1, Mar 15, Mar 29         |
| 29              | Mar 1, Mar 15, Mar 29         |
| 30              | Feb 15, Mar 1, Mar 15         |

**Article 24 – Amend Zoning Bylaw: Establish Center Gateway Overlay District**

The Planning Board reviewed Article 24 at its meetings of Feb 15 Mar 1, Mar 15, and Mar 29. The Board voted to recommend **Favorable Action** at its meeting of Mar 15. Roll call vote 5-0

*This article, which is sponsored by the Planning Board, seeks to promote redevelopment and reinvestment by establishing a new mixed-use district, creating a transition from abutting residential zoning districts into Natick Center along the transportation corridor of East Central St.*

*This article was first prepared for the 2022 Fall Town Meeting Under the title “East Central/Union Street Intersection (southern side).” After the public hearing process, the Planning Board identified flaws in the article’s Use Regulation Schedule and requested that the article be referred to the Board. The current article has addressed those issues.*

**Article 25 – Amend Zoning Bylaw: Use Regulation Schedule**

The Planning Board reviewed Article 25 at its meetings of Mar 15 and Mar 29, at which the Board voted to recommend **Favorable Action**. Roll call vote 5-0

*This article, which is sponsored by the Planning Board, seeks to provide clarity for users of the Zoning Bylaw's Use Regulations Table by amending the notations for "permitted" from P to Y; "excluded or prohibited" from O to N; and "allowed under a special permit" from A to SP. The article also addresses several scrivener's errors in the table.*

**Article 26 – Amend Zoning Bylaw: Open Space Cluster Development**

The Planning Board reviewed Article 26 at its meetings of Mar 15 and Mar 29, at which the Board voted to recommend **Favorable Action**. Roll call vote 5-0

*The Planning Board is the sponsor of this article, which replaces the existing cluster bylaw (§III-F of the Zoning Bylaw). The revised bylaw increases the minimum parcel size for cluster developments; adjusts the mix of dwelling unit sizes in such a development; and modifies the buffer requirement and approach to determining buildable land; while promoting the preservation of coherent preserved open space.*

*At the 2022 SATM, Town Meeting voted to approve the Planning Board's request for a moratorium on cluster development projects to allow the Board time to review and revise the bylaw. The moratorium language is rescinded as part of the replacement of this section.*

**Article 27 – Amend Zoning Bylaw: Inclusionary Housing**

The Planning Board reviewed Article 27 at its meetings of Mar 15 and Mar 29, at which the Board voted to recommend **Favorable Action**. Roll call vote 5-0

*The Planning Board is the sponsor of this article, which replaces the current §V-J of the Zoning Bylaw. The revised text retains and clarifies the language requiring contributions to the development of inclusionary housing for residential or residential mixed-use developments that appear in the current bylaw, but now applies to projects that create five or more dwelling units, rather than two as stated previously. An incentive provision to encourage inclusionary housing in definitive subdivisions has been removed but remains under study by the Board.*

**Article 28 – Amend Zoning Bylaw: Highway Mixed-Use-I (HM-I)**

The Planning Board reviewed Article 28 at its meetings of Mar 1, Mar 15, and Mar 29. The Board voted to recommend **Favorable Action** at its meeting of Mar 15. Roll call vote 5-0

*The Town Administrator is the sponsor of this article, which seeks to foster a welcoming business environment by allowing for the creation of Small and Large Corporate Campus Parcels, and to allow Large Corporate Campus Parcels to be developed as a single cohesive campus over time.*

**Article 29 – Zoning Map Amendments for Highway Mixed-Use-I (HM-I)**

The Planning Board reviewed Article 28 at its meetings of Mar 1, Mar 15, and Mar 29. The Board voted to recommend **Favorable Action** at its meeting of Mar 15. Roll call vote 5-0

*The Town Administrator is the sponsor of this article, which would amend the Natick Zoning Map in accordance with the zoning designations set forth in Article 28. The Natick Zoning Map is an integral component of the Zoning Bylaw.*

**Article 30 – Expansion of Assisted Living Overlay Option Plan (ALoop)**

The Planning Board reviewed Article 29 at its meetings of Feb 15, Mar 1, and Mar 15, at which the Board **motion to recommend Favorable Action FAILED**. Roll call vote 0-4-1 (Meyer)

*This article, which is a citizen petition, would establish an ALoop on two lots in Natick south of Route 135 that adjoin land in Wellesley with frontage on Pond Rd. The Board noted that the proposed site does not align with the Purpose Statement established for the ALoop in Section III-1.3 of the Zoning Bylaw.*

## Summary of Finance Committee Recommendations on Warrant Articles

| Article | Title                                                                           | Vote date | Recommendation                                                                                                                                                                           | Quantum of Vote                                                                                          |
|---------|---------------------------------------------------------------------------------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| 1       | Authorize Select Board to Acquire, Obtain, Abandon or Relocate Easements        | 3/23      | Favorable Action                                                                                                                                                                         | 11-0-0                                                                                                   |
| 2       | Committee Article                                                               | 4/4       | Favorable Action                                                                                                                                                                         | 12-0-0                                                                                                   |
| 3       | Elected Officials Salary                                                        | 4/6       | Favorable Action                                                                                                                                                                         | 8-0-1                                                                                                    |
| 4       | Personnel Board Classification and Pay Plan                                     | 3/14      | Favorable Action                                                                                                                                                                         | 9-0-3                                                                                                    |
| 5       | Collective Bargaining                                                           | 4/6       | Favorable Action                                                                                                                                                                         | 9-0-0                                                                                                    |
| 6       | Home Rule Petition: Natick Superior Officers – Exemption from Civil Service     | 4/6       | Favorable Action                                                                                                                                                                         | 9-0-0                                                                                                    |
| 7       | Omnibus Budget Articles                                                         | 4/11      | A: Favorable Action<br>B: Favorable Action<br>C: Favorable Action<br>D: Favorable Action<br>E1: Favorable Action<br>E2: Favorable Action<br>F1: Favorable Action<br>F2: Favorable Action | A: 12-0-0<br>B: 11-0-1<br>C: 12-0-0<br>D: 12-0-0<br>E1: 12-0-0<br>E2: 12-0-0<br>F1: 12-0-0<br>F2: 12-0-0 |
| 8       | Unpaid Bills                                                                    | 3/23      | Favorable Action                                                                                                                                                                         | 11-0-0                                                                                                   |
| 9       | Transfer of Unexpended Bond Proceeds                                            | 3/23      | No Action                                                                                                                                                                                | 11-0-0                                                                                                   |
| 10      | Rescind Authorized, Unissued Debt                                               | 3/23      | No Action                                                                                                                                                                                | 11-0-0                                                                                                   |
| 11      | Revolving Funds                                                                 | 3/23      | Favorable Action                                                                                                                                                                         | 11-0-0                                                                                                   |
| 12      | Stabilization Funds and OPEB                                                    | 4/6       | Favorable Action                                                                                                                                                                         | 9-0-0                                                                                                    |
| 13      | Capital Stabilization Account (Keefe Tech)                                      | 3/30      | Favorable Action                                                                                                                                                                         | 12-0-0                                                                                                   |
| 14      | PEG Access and Cable Related Fund Appropriation or Transfer of Funds            | 4/11      | Favorable Action                                                                                                                                                                         | 12-0-0                                                                                                   |
| 15      | Capital Equipment and Improvement                                               | 4/4       | A: Favorable Action<br>B: Favorable Action<br>C: Favorable Action<br>D: Favorable Action<br>E: Favorable Action<br>F: Favorable Action                                                   | A: 12-0-0<br>B: 11-0-1<br>C: 11-0-0<br>D: 11-0-0<br>E: 12-0-0<br>F: 12-0-0                               |
| 16      | Adjust Asset Limit for Personal Exemption Clause 17D by Annual COLA             | 3/16      | Favorable Action                                                                                                                                                                         | 11-0-0                                                                                                   |
| 17      | Adjust Income and Asset Limits for Personal Exemption Clause 41C by Annual COLA | 3/16      | Favorable Action                                                                                                                                                                         | 10-0-0                                                                                                   |
| 18      | Increase Personal Exemptions                                                    | 3/16      | Favorable Action                                                                                                                                                                         | 10-0-0                                                                                                   |
| 19      | Home Rule Petition to Amend Chapter 336 of the Acts of 2004                     | 3/28      | Favorable Action                                                                                                                                                                         | 11-0-0                                                                                                   |
| 20      | Amend the Town of Natick By-Laws: Create New Committee                          | 3/21      | Favorable Action                                                                                                                                                                         | 13-0-0                                                                                                   |
| 21      | Charter and ByLaw Review Committee Report and Counsel                           | 3/28      | A: Favorable Action<br>B: Favorable Action                                                                                                                                               | A: 11-0-0<br>B: 11-0-0                                                                                   |
| 22      | Disposition of 0 Shore Terrace and 4 Pine Ridge Road                            | 3/28      | Favorable Action                                                                                                                                                                         | 11-0-0                                                                                                   |
| 23      | Amend the Town of Natick By-Law 79A                                             | 3/21      | Favorable Action                                                                                                                                                                         | 13-0-0                                                                                                   |
| 24      | Amend Zoning Bylaw: Establish Center Gateway Zoning District                    | 4/11      | A: Favorable Action<br>B: Favorable Action<br>C: Favorable Action                                                                                                                        | A: 12-0-0<br>B: 12-0-0<br>C: 12-0-0                                                                      |

|           |                                                          |                            |                                                                                   |                                                 |
|-----------|----------------------------------------------------------|----------------------------|-----------------------------------------------------------------------------------|-------------------------------------------------|
| <b>25</b> | Amend Zoning Bylaw: Use Regulations Schedule             | 4/11                       | A: Favorable Action<br>B: Favorable Action                                        | A: 12-0-0<br>B: 12-0-0                          |
| <b>26</b> | Amend Zoning Bylaw: Open Space Cluster Development       | 4/4                        | A: Favorable Action<br>B: Favorable Action<br>C: Favorable Action                 | A: 12-0-0<br>B: 12-0-0<br>C: 12-0-0             |
| <b>27</b> | Amend Zoning Bylaw: Inclusionary Housing                 | 4/11                       | Favorable Action                                                                  | 12-0-0                                          |
| <b>28</b> | Amend Zoning Bylaw: Highway Mixed-Use-I(HM-I)            | 4/4                        | A: Favorable Action<br>B: Favorable Action                                        | A: 11-0-1<br>B: 11-0-1                          |
| <b>29</b> | Amend Zoning Map: Highway Mixed-Use – I(HM-I)            | 4/4                        | Favorable Action                                                                  | 12-0-0                                          |
| <b>30</b> | Expansion of Assisted Living Overlay Option Plan (ALOOP) | 4/6                        | Refer to Sponsor                                                                  | 9-0-0                                           |
| <b>31</b> | Re-Zoning of 24 N Main St., 26 N Main St., 30 N Main St. | 4/6                        | No Action                                                                         | 9-0-0                                           |
| <b>32</b> | New Town Seal                                            | 4/4<br>4/4<br>4/11<br>4/11 | A: Favorable Action<br>B: Favorable Action<br>C: No Action<br>D: Favorable Action | A: 10-1-1<br>B: 8-4-0<br>C: 12-0-0<br>D: 12-0-0 |
| <b>33</b> | Charles River Dam Advisory Committee Report              | 3/21                       | No Recommendation                                                                 | IP: 7-5-0<br>FA: 2-9-1                          |
| <b>34</b> | Charles River Dam                                        | 3/21                       | Indefinite<br>Postponement                                                        | 10-2-0                                          |
| <b>35</b> | Dam Preservation Committee                               | 3/21                       | Indefinite<br>Postponement                                                        | 10-2-0                                          |

### Summary of Finance Committee Recommendations on Budgets

| <b>Title</b>                                                                  | <b>Vote Date</b> | <b>Recommendation</b> | <b>Quantum of Vote</b> | <b>Requested Appropriation</b> |
|-------------------------------------------------------------------------------|------------------|-----------------------|------------------------|--------------------------------|
| Natick Public Schools                                                         | 3/30             | Favorable Action      | 12-0-0                 | \$83,279,134                   |
| South Middlesex Vocational Regional Technical School (Joseph P. Keefe School) | 3/30             | Favorable Action      | 12-0-0                 | \$1,063,493                    |
| Morse Institute Library                                                       | 3/30             | Favorable Action      | 12-0-0                 | \$2,538,556                    |
| Bacon Free Library                                                            | 3/30             | Favorable Action      | 12-0-0                 | \$233,005                      |
| Public Safety - Emergency Management, Police, and Parking Enforcement         | 3/30             | Favorable Action      | 12-0-0                 | \$8,618,610                    |
| Fire Department                                                               | 3/9              | Favorable Action      | 10-0-0                 | \$10,818,245                   |
| Public Works                                                                  | 3/9              | Favorable Action      | 10-0-0                 | \$10,844,516                   |
| Community Services & Health Services                                          | 3/14, 3/14       | Favorable Action      | various                | \$2,924,672                    |
| Administrative Support Services                                               | 3/14, 4/4, 4/6   | Favorable Action      | various                | \$8,109,660                    |
| Committees and Commissions                                                    | 3/14             | Favorable Action      | 11-0-1                 | \$37,550                       |
| Affordable Housing Trust                                                      | 3/14             | Favorable Action      | 12-0-0                 | \$80,000                       |
| Shared Expenses                                                               | 3/3, 4/6         | Favorable Action      | various                | \$54,251,473                   |
| Water & Sewer Enterprise Fund*                                                | 3/9              | Favorable Action      | 10-0-0                 | \$19,809,631                   |
| Water & Sewer Indirects                                                       | 3/9              | Favorable Action      | 10-0-0                 | \$3,443,771                    |
| Sassamon Trace Enterprise Fund*                                               | 3/16             | Favorable Action      | 10-0-0                 | \$992,871                      |
| Sassamon Trace Indirects                                                      | 3/16             | Favorable Action      | 10-0-0                 | \$77,756                       |

\* Including Indirects

**2023 SPRING ANNUAL TOWN MEETING  
CONSENT AGENDA MOTION**

**Move that the Town take Articles 1, 3, 4, 9 - 11, 14, 16 - 18, 30 and 31 out of order and that they be “Passed by Consent” in accordance with the Motion published in the Consent Agenda distributed in the Finance Committee Book of Recommendations.**

**ARTICLE 1 – Authorize Board of Selectmen to Acquire, Obtain, Abandon or Relocate Easements: Town Administrator**

**MOTION:** Move that the Town vote to authorize the Select Board, during Fiscal Year 2024, to acquire on behalf of the Town any and all easements for any of the following purposes: roads, sidewalks, vehicular and/or pedestrian access or passage, drainage and utilities, provided however that such authorization pertains only to easements acquired at no cost to the Town; and, further, to authorize the Select Board, subsequent to a public hearing, during Fiscal Year 2024 to abandon or relocate easements acquired for any of the foregoing purposes.

**ARTICLE 3 – Elected Officials Salary: Town Administrator**

**MOTION:** Move that the town vote to fix the salary and compensation of the following elected officer of the Town for the Fiscal Year 2024 (July 1, 2023 through June 30, 2024) as provided by section 108 Chapter 41 of the Massachusetts General Laws: Town Clerk: \$123,000.

**ARTICLE 4 – Personnel Board Classification and Pay Plan: Town Administrator**

**MOTION:** Move that the Town vote to amend the By-Laws by changing in its entirety the table entitled Classification and Pay Plan that is incorporated by reference into Article 24, Section 3, Paragraph 3.10 with the new Classification and Pay Plan as follows:

# 2023 SPRING ANNUAL TOWN MEETING CONSENT AGENDA MOTION

## Town of Natick Classification and Pay Plan Effective January 1, 2022

Classification changes are effective upon vote of Personnel Board

| Grade | Minimum      | Point 1      | Point 2      | Maximum      |
|-------|--------------|--------------|--------------|--------------|
| 6     | \$125,000.00 | \$140,000.00 | \$155,000.00 | \$181,500.00 |
| 5     | \$100,000.00 | \$120,000.00 | \$135,000.00 | \$159,500.00 |
| 4     | \$75,000.00  | \$90,000.00  | \$105,000.00 | \$137,500.00 |
| 3     | \$60,000.00  | \$72,000.00  | \$85,000.00  | \$115,500.00 |
| 2     | \$48,000.00  | \$55,000.00  | \$62,500.00  | \$88,000.00  |
| 1     | \$42,000.00  | \$48,000.00  | \$54,000.00  | \$70,000.00  |

| GRADE 6                                                              | GRADE 3                                             | GRADE 2                                                         |
|----------------------------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------------------|
| Chief of Police                                                      | Assistant Assessor (Certified)                      | Assistant Assessor (non-certified)                              |
| Deputy Town Administrator/Director of Finance                        | Assistant Director of Assessing                     | Assistant Director, Bacon Free Library                          |
| Deputy Town Administrator/Operations                                 | Assistant Director - Programs                       | Assistant Director, Farm                                        |
| Fire Chief                                                           | Assistant Director of Finance                       | Assistant Director, Internal Operations, Farm                   |
| Town Administrator                                                   | Assistant Director- Resource Allocation             | Associate Project Coordinator                                   |
| Executive Director of Public Works & Facilities                      | Assistant Library Director, Morse Institute Library | Clinical Social Worker                                          |
| GRADE 5                                                              | Assistant Director – Programs & Services            | Coordinator of Adaptive Programs                                |
|                                                                      | Assistant Director - Services & Outreach            |                                                                 |
| Comptroller                                                          | Assistant Town Clerk                                | Executive Assistant                                             |
| Deputy Chief of Police                                               | Assistant to Town Administration                    | Executive Assistant to the Town Administrator & Select Board    |
| Director of Community & Economic Development                         | Assistant Treasurer/Collector                       | Executive Assistant to the Fire Chief                           |
| Director of Facilities Management                                    | Bacon Free Director                                 | Facility Custodial Supervisor                                   |
| Director of Human Resources/Labor Relations                          | Benefits Manager                                    | Golf Course Superintendent                                      |
| Director of Information Technology                                   | Budget Analyst                                      | Human Resources Coordinator                                     |
| Director of Public Works                                             | Business Manager                                    | Payroll Manager                                                 |
| Director of Community Services                                       | Communications Director                             | Program Manager Volunteer Services                              |
|                                                                      | Community & Economic Development Office Manager     | Sanitarian                                                      |
|                                                                      | Development Review Planner                          | Senior Executive Assistant to the Chief of Police               |
| GRADE 4                                                              | Director of Recreation Programs/Special Events      | Social Worker                                                   |
|                                                                      | Environmental Health Agent                          | Case Manager                                                    |
| Assistant Comptroller                                                | Executive Director, Farm                            | Special Asst. to Director of Facilities Management              |
| Building Commissioner                                                | Facility Maintenance Manager                        | Special Asst. to the Director of Finance                        |
|                                                                      | Golf Course Manager                                 | Special Asst. to Director of Senior Center & Community Services |
| Deputy IT Director/Systems Network Administrator                     | Housing/General Planner                             | System Specialist Administrative                                |
| Deputy Director of Public Works                                      | Information Systems Network Administrator           | Youth Center Coordinator                                        |
|                                                                      | Information Technology Manager                      |                                                                 |
| Director of Assessing                                                | Local Building Inspector (Certified)                | GRADE 1                                                         |
| Director of Equity, Inclusion, & Outreach                            | Open Space Planner/Conservation Agent               | Animal Control Officer                                          |
| Deputy Community Services Director Council on Aging & Human Services | Prevention & Outreach Program Manager               | Assistant Superintendent, Golf Course                           |
| Director of Procurement                                              | Project Manager                                     | Finance Coordinator                                             |
| Director of Public Health                                            | Public Health Nurse                                 | Golf Professional                                               |
| Deputy Community Service Director Recreation & Parks                 | Regulatory Compliance Coordinator                   | Outreach Coordinator                                            |
| Director of Sustainability                                           | Senior Environmental Health Specialist              | Parking Enforcement Officer                                     |
| Morse Library Director                                               | Senior Planner                                      | Police Records Coordinator                                      |
| Treasurer/Collector                                                  | Staff Accountant                                    | Student Officer                                                 |
|                                                                      | Veterans Agent                                      |                                                                 |

# 2023 SPRING ANNUAL TOWN MEETING CONSENT AGENDA MOTION

## Town of Natick Part-Time Classification and Pay Plan Effective January 1, 2022

| Grade | Minimum  | Point 1  | Point 2  | Maximum  |
|-------|----------|----------|----------|----------|
| 1     | \$ 15.00 | \$ 19.00 | \$ 21.25 | \$ 23.50 |
| 2     | \$ 17.50 | \$ 27.75 | \$ 31.00 | \$ 34.50 |
| 3     | \$ 28.00 | \$ 36.50 | \$ 40.50 | \$ 45.00 |

### GRADE 1

Assistant Leader (Rec)  
 Assistant Swim Coach  
 Attendant (Rec)  
 Building Monitor I (Rec)  
 Bus Dispatcher  
 Bus Driver  
 Cart Attendant (Golf)  
 Clerical Assistant  
 Club House Attendant (Golf)  
 Club House Supervisor (Golf)  
 Concession Manager  
 Custodian  
 Deputy Animal Control Officer  
 Election Clerk  
 Election Inspector  
 Equipment Operator (Golf)  
 Instructor  
 Laborer I  
 Leader/Counselor (Rec)  
 Library Page (Morse)  
 Parking Clerk  
 Ranger/Starter (Golf)  
 Receptionist  
 School Crossing Guard (1<sup>st</sup> year)  
 Senior Counselor Certified-Rec)  
 Specialist (Rec)  
 Timer/Scorer

### GRADE 2

Administrative Support  
 Assistant Director (Rec)  
 Bookkeeper  
 Building Monitor II (Rec)  
 Camp Director  
 Community Garden Coordinator  
 Conservation Agent  
 Election Warden  
 Golf Course Mechanic  
 Head Lifeguard  
 Instructor II  
 Intern Cooperative  
 Laborer II  
 Library Assistant (Bacon)  
 Lifeguard  
 Parking Enforcement Officer  
 Plumbing & Wiring Inspector  
 Police Matron  
 Police Transcriber  
 Program Assistant  
 Program Supervisor (Rec)  
 Recycling Attendant  
 School Crossing Guard  
 Social Worker  
 Swim Coach  
 Transportation Coordinator  
 Volunteer Coordinator I

### GRADE 3

Adult Contractor  
 Beach Manager  
 Building Inspector  
 Certified Sports Official  
 Health Care Supervisor  
 Instructor III  
 Laborer III  
 Nurse (RN)  
 Volunteer Coordinator II

## ARTICLE 9 – Transfer of Unexpended Bond Proceeds: Town Administrator

**MOTION:** Move no action regarding the subject matter of Article 9.

## ARTICLE 10 – Rescind Authorized, Unissued Debt: Town Administrator

**MOTION:** Move no action regarding the subject matter of Article 10.

**2023 SPRING ANNUAL TOWN MEETING  
CONSENT AGENDA MOTION**

**ARTICLE 11 – Revolving Funds: Town Administrator**

**MOTION:** Move that the Town vote to authorize the following maximum expenditures for FY2023 for the listed revolving funds, established by the Town of Natick Bylaws, Article 41 A pursuant to Chapter 44, §53E ½ of the Massachusetts General Laws, as follows:

Section 4 - DPW Vehicles and Equipment, maximum expenditure \$200,000;

Section 5 - Morse Institute Library Materials Purchase of New Books and Related Materials, maximum expenditure \$85,000;

Section 6 - Morse Institute Library Maintenance and Repair of Library Facilities and Equipment, maximum expenditure \$25,000;

Section 7 - Community-Senior Center Rental, Maintenance and Improvement Projects, maximum expenditure \$75,000;

Section 8 - Flu Clinics, Immunization Programs, Pandemic and Emergency Preparedness, maximum expenditure \$40,000;

Section 9 - Community-Senior Center Programs and Activities, maximum expenditure \$95,000;

Section 10 - Tobacco Control Programs and Enforcement, maximum expenditure \$25,000;

Section 11 - Energy Conservation and Renewable Energy Projects, maximum expenditure \$25,000;

Section 12 - Tax Title Takings or Tax Title Foreclosures, maximum expenditure \$100,000;

Section 13 - Curbside Compost Collection Program, maximum expenditure \$20,000; and

Section 14 - Community Gardens, maximum expenditure \$25,000.

**ARTICLE 14 – PEG Access and Cable Related Fund Appropriation or Transfer of Funds: Town Administrator**

**MOTION:** Move that the Town vote to appropriate from the PEG Access and Cable Related Fund, established by vote of 2019 Special Town Meeting #1 under Article 1, as authorized by Chapter 44, Section 53F 3/4 of the General Laws, as amended, the sum of \$353,758.52 to fund PEG access programming.

**2023 SPRING ANNUAL TOWN MEETING  
CONSENT AGENDA MOTION**

**ARTICLE 16 – Adjust Asset Limit for Personal Exemption Clause 17D by Annual COLA: Board of Assessors**

**MOTION:** Move that the Town vote to accept Massachusetts General Laws Chapter 59, Section 5, Clause 17E, which authorizes an annual increase in the asset (whole estate) limit for exemptions granted to senior citizens, surviving spouses and surviving minors under Massachusetts General Laws Chapter 59, Section 5, Clause 17D by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**ARTICLE 17 – Adjust Income and Asset Limits for Personal Exemption Clause 41C by Annual COLA**

**MOTION:** Move that the Town vote to accept Massachusetts General Laws Chapter 59, Section 5, Clause 41D, which authorizes an annual increase in the income (gross receipts) and asset (whole estate) limits for exemptions granted to senior citizens under Massachusetts General Laws Chapter 59, Section 5, Clause 41C by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**ARTICLE 18 – Increase Personal Exemptions: Board of Assessors**

**MOTION:** Move that the Town vote to amend the additional real estate tax exemption granted under Massachusetts General Laws Chapter 59, Section 5C1/2 to taxpayers who are granted personal exemptions on their domiciles under Massachusetts General Laws Chapter 59, Section 5, including certain blind persons, veterans, surviving spouses and seniors, to an additional exemption of up to 100 percent of the personal exemption to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**ARTICLE 30 – Expansion of Assisted Living Overlay Option Plan (ALoop):  
George L. Richards. et al**

**MOTION:** Move to refer the subject matter of Article 30 to the sponsor.

**2023 SPRING ANNUAL TOWN MEETING  
CONSENT AGENDA MOTION**

**ARTICLE 31 – Re-Zoning of 24 N Main St., 26 N Main St., 30 N Main St.:  
Kenneth B. Phillips, et al.**

**MOTION:** Move no action regarding the subject matter of Article 31.

[end of motion]

Respectfully submitted,  
Frank W. Foss  
Natick Town Moderator

I \_\_\_\_\_ of Precinct\_\_\_\_, Natick hereby move to  
\_\_\_\_\_the Main Motion under Article #\_\_\_\_\_ of the current town meeting  
Warrant as follows:

23

An editable PDF of the Town Meeting Motion Form can be found at:

<https://www.natickma.gov/DocumentCenter/View/8048/Town-Meeting-Motion-Form>

## Revenue & Expenses Summary

| GF Revenue / Expenditure<br>Summary | FY2022<br>Budgeted   | FY2022<br>Actual     | FY2023<br>Revised    | FY 2024<br>Amended   | FY 23-FY 24<br>% Change |
|-------------------------------------|----------------------|----------------------|----------------------|----------------------|-------------------------|
| TAX LEVY                            | \$130,838,254        | \$130,852,887        | \$135,645,162        | \$139,827,466        | 3.08%                   |
| STATE AID                           | \$15,146,380         | \$15,312,655         | \$17,477,042         | \$18,382,945         | 5.18%                   |
| LOCAL RECEIPTS                      | \$11,909,632         | \$16,982,231         | \$12,772,292         | \$16,256,487         | 27.28%                  |
| INDIRECTS                           | \$2,909,837          | \$2,909,837          | \$3,132,537          | \$3,521,527          | 12.42%                  |
| FREE CASH                           | \$1,300,000          | \$1,300,000          | \$4,292,620          | \$10,676,910         | 148.73%                 |
| STABILIZATION FUND (S)              | \$5,445,175          | \$5,445,175          | \$3,000,000          | \$0                  | -100.00%                |
| OVERLAY SURPLUS                     | \$1,000,000          | \$1,000,000          | \$1,000,000          | \$1,000,000          | 0.00%                   |
| OTHER AVAILABLE FUNDS               | \$210,335            | \$288,818            | \$2,503,734          | \$3,274,424          | 30.78%                  |
| <b>TOTAL GENERAL FUND REVENUES</b>  | <b>\$168,759,613</b> | <b>\$174,091,603</b> | <b>\$179,823,387</b> | <b>\$192,939,760</b> | <b>7.29%</b>            |
| NATICK PUBLIC SCHOOLS               | \$75,063,994         | \$73,708,900         | \$79,000,000         | \$83,279,134         | 5.42%                   |
| KEEFE TECH                          | \$1,269,137          | \$1,250,715          | \$1,141,089          | \$1,063,493          | -6.80%                  |
| MORSE INSTITUTE LIBRARY             | \$2,388,653          | \$2,316,589          | \$2,486,772          | \$2,538,556          | 2.08%                   |
| BACON FREE LIBRARY                  | \$184,520            | \$168,356            | \$227,894            | \$233,005            | 2.24%                   |
| PUBLIC SAFETY                       | \$17,544,432         | \$17,426,244         | \$19,878,282         | \$19,436,855         | -2.22%                  |
| PUBLIC WORKS                        | \$9,211,793          | \$9,916,112          | \$9,892,523          | \$10,844,515         | 9.62%                   |
| HEALTH & HUMAN SERVICES             | \$2,773,178          | \$2,331,115          | \$2,915,345          | \$2,924,672          | 0.32%                   |
| ADMINISTRATIVE SUPPORT SERVICES     | \$7,551,745          | \$6,411,849          | \$7,647,902          | \$8,109,660          | 6.04%                   |
| COMMITTEES                          | \$115,550            | \$71,656             | \$117,550            | \$117,550            | 0.00%                   |
| FRINGE BENEFITS                     | \$17,798,416         | \$16,311,776         | \$18,306,901         | \$19,158,314         | 4.65%                   |
| PROP & LIAB. INSURANCE              | \$907,170            | \$930,500            | \$961,600            | \$1,103,212          | 14.73%                  |
| RETIREMENT                          | \$11,711,796         | \$11,706,634         | \$12,389,586         | \$13,127,643         | 5.96%                   |
| DEBT SERVICES                       | \$13,774,824         | \$14,550,793         | \$14,254,224         | \$16,103,110         | 12.97%                  |
| RESERVE FUND                        | \$250,000            | \$250,000            | \$250,000            | \$250,000            | 0.00%                   |
| FACILITIES MANAGEMENT               | \$3,937,989          | \$3,909,345          | \$4,458,220          | \$4,509,194          | 1.14%                   |
| <b>GENERAL FUND OPER. EXPENSES</b>  | <b>\$164,483,197</b> | <b>\$161,260,585</b> | <b>\$173,927,888</b> | <b>\$182,798,913</b> | <b>5.10%</b>            |
| CAPITAL IMPROVEMENTS                | \$0                  | \$0                  | \$0                  | \$2,566,200          |                         |
| SCHOOL BUS TRANSPORTATION           | \$421,416            | \$535,086            | \$429,844            | \$0                  | -100.00%                |
| STATE & COUNTY ASSESSMENTS          | \$1,402,459          | \$1,360,360          | \$1,393,981          | \$1,338,165          | -4.00%                  |
| CHERRY SHEET OFFSETS                | \$320,913            | \$384,057            | \$397,589            | \$310,208            | -21.98%                 |
| SNOW REMOVAL SUPPLEMENT             | \$350,000            | \$350,000            | \$350,000            | \$350,000            | 0.00%                   |
| OVERLAY                             | \$1,150,000          | \$1,150,000          | \$1,150,000          | \$1,150,000          | 0.00%                   |
| GOLF COURSE DEFICIT                 | \$240,000            | \$240,000            | \$240,000            | \$0                  | -100.00%                |
| GENERAL STABILIZATION FUND          | \$0                  | \$0                  | \$0                  | \$1,469,511          |                         |
| OPERATIONAL STABILIZATION FUND      | \$0                  | \$0                  | \$0                  | \$2,084,910          |                         |
| CAPITAL STABILIZATION FUND          | \$0                  | \$0                  | \$0                  | \$500,000            |                         |
| OPEB TRUST FUND                     | \$225,900            | \$225,900            | \$250,000            | \$250,000            | 0.00%                   |
| MISC. ARTICLES                      | \$20,000             | \$378,250            | \$20,000             | \$50,000             | 150.00%                 |
| <b>SUB-TOTAL</b>                    | <b>\$4,130,688</b>   | <b>\$4,623,653</b>   | <b>\$4,231,414</b>   | <b>\$10,068,994</b>  | <b>137.96%</b>          |
|                                     |                      |                      |                      |                      |                         |
| <b>TOTAL GENERAL FUND EXPENSES</b>  | <b>\$168,613,885</b> | <b>\$165,884,238</b> | <b>\$178,159,302</b> | <b>\$192,867,907</b> | <b>8.26%</b>            |
| <b>NET EXCESS / (DEFICIT)</b>       |                      |                      |                      | <b>\$71,852</b>      |                         |



## Free Cash Spending Plan

| FY 2024 Free Cash Spending Plan    |                      |
|------------------------------------|----------------------|
| <b>Revenue Update</b>              |                      |
| Free Cash                          | \$ 11,471,106        |
| <b>Total Revenue</b>               | <b>\$ 11,471,106</b> |
| <b>Expenses</b>                    |                      |
| Fiscal 2024 Omnibus Budget         | \$ 4,464,900         |
| Operational Stabilization Fund     | \$ 1,838,580         |
| General Stabilization Fund         | \$ 1,307,230         |
| Capital Stabilization Fund         | \$ 500,000           |
| Capital Improvement Projects       | \$ 2,566,200         |
| 2023 SATM Article 8 - Unpaid Bills | \$ 2,370             |
| Free Cash Reserve                  | \$ 791,826           |
| <b>Total Expenses</b>              | <b>\$ 11,471,106</b> |
| <b>Total Excess</b>                | <b>\$ -</b>          |

Coming out of the COVID years, the Town has a plan to use Free Cash to address the potential financial concerns due to the previous economic downturn. With the gradual recovery of local receipts and other revenue sources in FY2022 and the continuing trend anticipated in FY2023, the Town is able to prioritize the spending based on the Town's Financial Management Principles.

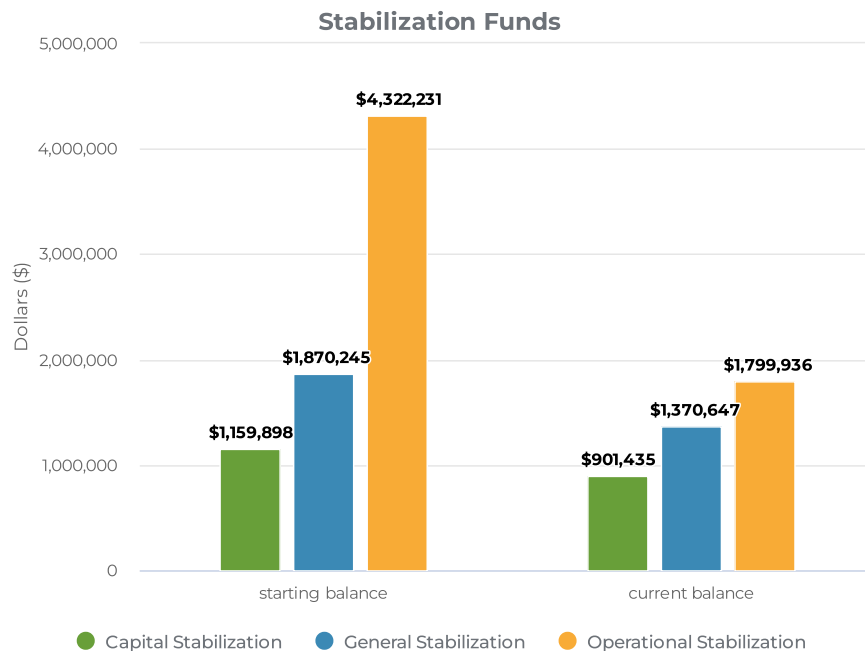
Specifically, the plan includes the following uses of Free Cash:

- Replenish Stabilization Funds to meet the 100 % of the balance target of Operational Stabilization and 85% of the balance target of General Stabilization;
- Diversify Financing Sources of Capital Improvement Projects by supplementing the Capital Stabilization Fund and Capital Improvement Projects;
- Reduce the potential long-term debt obligations by allocating free cash directly to capital projects; and,
- Free Cash Reserve 0.5% of the General Fund Net Operating Revenue in accordance to the Town's Financial Management Principles



## Stabilization Funds

| Stabilization Funds |                           |             |              |            |               |             |
|---------------------|---------------------------|-------------|--------------|------------|---------------|-------------|
|                     |                           | Starting    |              |            |               |             |
|                     |                           | Balance     |              | 04/01/23   |               | Balance     |
| Fund #              | Stabilization             | 07/01/22    | Transfers In | Interest   | Transfers Out | 04/01/23    |
| 7000                | Capital Stabilization     | \$1,159,898 | \$741,201    | \$336      | \$1,000,000   | \$901,435   |
| 7001                | General Stabilization     | \$1,870,245 | \$0          | \$402      | \$500,000     | \$1,370,647 |
| 7002                | OPEB Trust                | \$5,148,356 | \$250,000    | \$76,346   | \$0           | \$5,474,702 |
| 7003                | Operational Stabilization | \$4,322,231 | \$0          | \$(22,295) | \$2,500,000   | \$1,799,936 |
| 7004                | FAR Stabilization         | \$2,686,330 | \$0          | \$(3,347)  | \$0           | \$2,682,983 |
| 7005                | I & I Stabilization       | \$126,593   | \$0          | \$(7,248)  | \$0           | \$119,345   |
| 7010                | 1:1 Tech Stabilization    | \$7,616     | \$0          | \$(49)     | \$0           | \$7,567     |



## Revolving Funds

| Revolving Funds |        |                                               |                                      |                                 |           |              |                       |
|-----------------|--------|-----------------------------------------------|--------------------------------------|---------------------------------|-----------|--------------|-----------------------|
| Fund #          | Motion | Funds                                         | Spending<br>Authorization<br>FY 2022 | Starting<br>Balance<br>7/1/2022 | Revenues  | Expenditures | Balance<br>04/01/2023 |
| 2002            | A      | DPW Surplus Vehicle                           | \$200,000                            | \$553,318                       | \$235,032 | \$165,737    | \$ 622,613            |
| 2005            | B      | Morse Library<br>Materials                    | \$85,000                             | \$3,047                         | \$2,690   | \$1,559      | \$ 4,178              |
| 2006            | C      | Morse Library<br>Equipment and<br>Maintenance | \$25,000                             | \$614                           | 1960      | \$331        | \$ 2,243              |
| 2007            | D      | Community-Senior<br>Center Equipment          | \$75,000                             | \$81,044                        | \$30,819  | 15552        | \$ 96,311             |
| 2008            | E      | Board of Health<br>Immunization               | \$40,000                             | \$41,123                        | \$35,034  | \$34,294     | \$ 41,863             |
| 2009            | F      | Community- Senior<br>Center Programs          | \$95,000                             | \$208,190                       | \$45,383  | \$37,834     | \$ 215,739            |
| 2010            | G      | BOH Regional Coalition<br>Tobacco Control     | \$25,000                             | \$55,342                        | 600       | 14076        | \$ 41,866             |
| 2011            | H      | Pay for Performance-<br>Energy Rewards        | \$25,000                             | \$5,023                         | \$ -      | \$ -         | \$ 5,023              |
| 2012            | I      | Tax Title Collection                          | \$100,000                            | \$74,782                        | \$3,269   | \$2,929      | \$ 75,122             |
| 2013            | J      | Curbside Compost<br>Collection                | \$20,000                             | \$12,582                        | \$ -      | \$ -         | \$ 12,582             |
| 2458            | K      | Community Garden                              | \$20,000                             | \$ -                            | \$ -      | \$ -         | \$ -                  |



TAX RATE RECAPITULATION

Fiscal Year 2023

I. TAX RATE SUMMARY

|                                                                            |                   |
|----------------------------------------------------------------------------|-------------------|
| Ia. Total amount to be raised (from page 2, IIe)                           | \$ 199,526,436.35 |
| Ib. Total estimated receipts and other revenue sources (from page 2, IIIe) | 64,397,100.54     |
| Ic. Tax Levy (Ia minus Ib)                                                 | \$ 135,129,335.81 |
| Id. Distribution of Tax Rates and levies                                   |                   |

| CLASS         | (b)<br>Levy percentage<br>(from LA5) | (c)<br>Ic above times<br>each percent in col (b) | (d)<br>Valuation by class<br>(from LA-5) | (e)<br>Tax Rates<br>(c) / (d) x 1000 | (f)<br>Levy by class<br>(d) x (e) / 1000 |
|---------------|--------------------------------------|--------------------------------------------------|------------------------------------------|--------------------------------------|------------------------------------------|
| Residential   | 81.5246                              | 110,163,650.50                                   | 8,715,485,212.00                         | 12.64                                | 110,163,733.08                           |
| Net of Exempt |                                      |                                                  |                                          |                                      |                                          |
| Open Space    | 0.0000                               | 0.00                                             | 0.00                                     | 0.00                                 | 0.00                                     |
| Commercial    | 15.6389                              | 21,132,741.70                                    | 1,671,890,188.00                         | 12.64                                | 21,132,691.98                            |
| Net of Exempt |                                      |                                                  |                                          |                                      |                                          |
| Industrial    | 0.4966                               | 671,052.28                                       | 53,089,100.00                            | 12.64                                | 671,046.22                               |
| SUBTOTAL      | 97.6601                              |                                                  | 10,440,464,500.00                        |                                      | 131,967,471.28                           |
| Personal      | 2.3399                               | 3,161,891.33                                     | 250,147,510.00                           | 12.64                                | 3,161,864.53                             |
| TOTAL         | 100.0000                             |                                                  | 10,690,612,010.00                        |                                      | 135,129,335.81                           |

MUST EQUAL 1C

| Signatures                                                                                      |
|-------------------------------------------------------------------------------------------------|
| Assessors                                                                                       |
| Molly K. Reed, Assessor , Natick , mreed.boa@natickma.org 508-647-6420   12/1/2022 6:16 PM      |
| Comment:                                                                                        |
| Kathryn A. Peirce, Assesor , Natick , kpeirce.boa@natickma.org 508-647-6420   12/1/2022 7:05 PM |
| Comment:                                                                                        |

| Documents                        |
|----------------------------------|
| No documents have been uploaded. |

Do Not Write Below This Line --- For Department of Revenue Use Only

Reviewed By: Kim Peloquin

Date: 12/07/2022

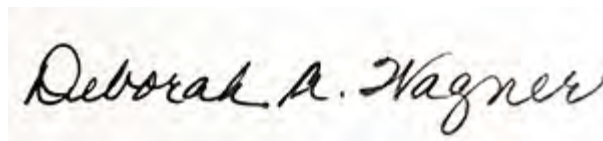
Approved: Andrew Nelson

Director of Accounts: Deborah A. Wagner

**TAX RATE RECAPITULATION**

**Fiscal Year 2023**

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A handwritten signature in black ink on a light-colored rectangular background. The signature reads "Deborah A. Wagner" in a cursive script.

## TAX RATE RECAPITULATION

Fiscal Year 2023

## II. Amounts to be raised

|                                                           |             |                       |
|-----------------------------------------------------------|-------------|-----------------------|
| Ila. Appropriations (col.(b) through col.(g) from page 4) |             | <b>196,418,588.54</b> |
| Ilb. Other amounts to be raised                           |             |                       |
| 1. Amounts certified for tax title purposes               | <b>0.00</b> |                       |
| 2. Debt and interest charges not included on page 4       | 0.00        |                       |
| 3. Final Awards                                           | 0.00        |                       |
| 4. Retained Earnings Deficit                              | 0.00        |                       |
| 5. Total cherry sheet offsets (see cherry sheet 1-ER)     | 397,589.00  |                       |
| 6. Revenue deficits                                       | 0.00        |                       |
| 7. Offset receipts deficits Ch. 44, Sec. 53E              | 0.00        |                       |
| 8. CPA other unappropriated/unreserved                    | <b>0.00</b> |                       |
| 9. Snow and ice deficit Ch. 44, Sec. 31D                  | 220,566.00  |                       |
| 10. Other :                                               | 0.00        |                       |
| TOTAL Ilb (Total lines 1 through 10)                      |             | <b>618,155.00</b>     |
| Ilc. State and county cherry sheet charges (C.S. 1-EC)    |             | 1,393,981.00          |
| Ild. Allowance for abatements and exemptions (overlay)    |             | 1,095,711.81          |
| Ile. Total amount to be raised (Total Ila through Ild)    |             | <b>199,526,436.35</b> |

## III. Estimated receipts and other revenue sources

|                                                                              |                      |                      |
|------------------------------------------------------------------------------|----------------------|----------------------|
| IIIa. Estimated receipts - State                                             |                      |                      |
| 1. Cherry sheet estimated receipts (C.S. 1-ER Total)                         | 17,477,042.00        |                      |
| 2. Massachusetts school building authority payments                          | 0.00                 |                      |
| TOTAL IIIa                                                                   |                      | <b>17,477,042.00</b> |
| IIIb. Estimated receipts - Local                                             |                      |                      |
| 1. Local receipts not allocated (page 3, col (b) Line 24)                    | <b>12,992,858.00</b> |                      |
| 2. Offset Receipts (Schedule A-1)                                            | <b>0.00</b>          |                      |
| 3. Enterprise Funds (Schedule A-2)                                           | <b>19,241,605.00</b> |                      |
| 4. Community Preservation Funds (See Schedule A-4)                           | <b>0.00</b>          |                      |
| TOTAL IIIb                                                                   |                      | <b>32,234,463.00</b> |
| IIIc. Revenue sources appropriated for particular purposes                   |                      |                      |
| 1. Free cash (page 4, col (c))                                               | <b>3,792,620.00</b>  |                      |
| 2. Other available funds (page 4, col (d))                                   | <b>10,892,975.54</b> |                      |
| TOTAL IIIc                                                                   |                      | <b>14,685,595.54</b> |
| IIId. Other revenue sources appropriated specifically to reduce the tax rate |                      |                      |
| 1a. Free cash..appropriated on or before June 30, 2022                       | 0.00                 |                      |
| 1b. Free cash..appropriated on or after July 1, 2022                         | 0.00                 |                      |

TAX RATE RECAPITULATION  
Fiscal Year 2023

|                                                                                          |                |                |
|------------------------------------------------------------------------------------------|----------------|----------------|
| 2. Municipal light surplus                                                               | 0.00           |                |
| 3. Other source :                                                                        | 0.00           |                |
| TOTAL III d                                                                              |                | 0.00           |
| III e. Total estimated receipts and other revenue sources<br>(Total III a through III d) |                | 64,397,100.54  |
| IV. Summary of total amount to be raised and total receipts from all sources             |                |                |
| a. Total amount to be raised (from II e)                                                 |                | 199,526,436.35 |
| b. Total estimated receipts and other revenue sources (from III e)                       | 64,397,100.54  |                |
| c. Total real and personal property tax levy (from I c)                                  | 135,129,335.81 |                |
| d. Total receipts from all sources (total IV b plus IV c)                                |                | 199,526,436.35 |

TAX RATE RECAPITULATION

Fiscal Year 2023

LOCAL RECEIPTS NOT ALLOCATED \*

|     |     | Receipt Type Description                    | (a)<br>Actual Receipts<br>Fiscal 2022 | (b)<br>Estimated Receipts<br>Fiscal 2023 | Percentage<br>Change |
|-----|-----|---------------------------------------------|---------------------------------------|------------------------------------------|----------------------|
| ==> | 1.  | MOTOR VEHICLE EXCISE                        | 6,445,195.68                          | 5,083,952.00                             | -21.12               |
|     | 2.  | OTHER EXCISE                                |                                       |                                          |                      |
| ==> |     | a.Meals                                     | 994,547.74                            | 750,000.00                               | -24.59               |
| ==> |     | b.Room                                      | 1,045,044.15                          | 751,750.00                               | -28.07               |
| ==> |     | c.Other                                     | 2,976.00                              | 2,900.00                                 | -2.55                |
| ==> |     | d.Cannabis                                  | 0.00                                  | 0.00                                     | 0.00                 |
| ==> | 3.  | PENALTIES AND INTEREST ON TAXES AND EXCISES | 502,577.16                            | 227,100.00                               | -54.81               |
| ==> | 4.  | PAYMENTS IN LIEU OF TAXES                   | 23,732.76                             | 12,200.00                                | -48.59               |
|     | 5.  | CHARGES FOR SERVICES - WATER                | 0.00                                  | 0.00                                     | 0.00                 |
|     | 6.  | CHARGES FOR SERVICES - SEWER                | 0.00                                  | 0.00                                     | 0.00                 |
|     | 7.  | CHARGES FOR SERVICES - HOSPITAL             | 0.00                                  | 0.00                                     | 0.00                 |
|     | 8.  | CHARGES FOR SERVICES - SOLID WASTE FEES     | 0.00                                  | 0.00                                     | 0.00                 |
|     | 9.  | OTHER CHARGES FOR SERVICES                  | 0.00                                  | 0.00                                     | 0.00                 |
|     | 10. | FEES                                        | 2,819,518.15                          | 2,404,227.00                             | -14.73               |
|     |     | a.Cannabis Impact Fee                       | 0.00                                  | 0.00                                     | 0.00                 |
|     |     | b.Community Impact Fee Short Term Rentals   | 0.00                                  | 0.00                                     | 0.00                 |
|     | 11. | RENTALS                                     | 0.00                                  | 0.00                                     | 0.00                 |
|     | 12. | DEPARTMENTAL REVENUE - SCHOOLS              | 0.00                                  | 0.00                                     | 0.00                 |
|     | 13. | DEPARTMENTAL REVENUE - LIBRARIES            | 0.00                                  | 0.00                                     | 0.00                 |
|     | 14. | DEPARTMENTAL REVENUE - CEMETERIES           | 0.00                                  | 0.00                                     | 0.00                 |
|     | 15. | DEPARTMENTAL REVENUE - RECREATION           | 0.00                                  | 0.00                                     | 0.00                 |
|     | 16. | OTHER DEPARTMENTAL REVENUE                  | 275,512.76                            | 220,200.00                               | -20.08               |
|     | 17. | LICENSES AND PERMITS                        |                                       |                                          |                      |
|     |     | a.Building Permits                          | 1,841,633.81                          | 1,572,915.00                             | -14.59               |
|     |     | b.Other licenses and permits                | 1,056,641.61                          | 1,000,000.00                             | -5.36                |
|     | 18. | SPECIAL ASSESSMENTS                         | 0.00                                  | 0.00                                     | 0.00                 |
| ==> | 19. | FINES AND FORFEITS                          | 119,834.36                            | 31,000.00                                | -74.13               |
| ==> | 20. | INVESTMENT INCOME                           | 678,232.65                            | 250,000.00                               | -63.14               |
| ==> | 21. | MEDICAID REIMBURSEMENT                      | 299,403.40                            | 100,000.00                               | -66.60               |
| ==> | 22. | MISCELLANEOUS RECURRING                     | 468,597.63                            | 400,000.00                               | -14.64               |
|     | 23. | MISCELLANEOUS NON-RECURRING                 | 253,878.84                            | 186,614.00                               | -26.49               |
|     | 24. | Totals                                      | 16,827,326.70                         | 12,992,858.00                            | -22.79               |

Signatures

TAX RATE RECAPITULATION  
Fiscal Year 2023

Accounting Officer

I hereby certify that the actual receipts as shown in column (a) are, to the best of my knowledge correct and complete, and I further certify that I have examined the entries made on page 4 of the above-indicated fiscal year tax rate recapitulation form by the City / Town / District Clerk and hereby acknowledge that such entries correctly reflect the appropriations made and the sources from which such appropriations are to be met.

Michelle Laramée, Comptroller , Natick , mlaramée@natickma.org 508-647-6435 | 12/1/2022 4:23 PM

Comment:

Documents

No documents have been uploaded.

\* Do not include receipts in columns (a) or (b) that were voted by the City / Town / District Council or Town Meeting as offset receipts on Schedule A-1, enterprise funds on Schedule A-2, or departmental revolving funds per Chapter 44, Section 53E 1/2. The Recap Page 3 Support form must be submitted to support increases / decreases of estimated receipts to actual receipts.  
==> The Recap Page 3 Support form must be submitted to support increases/ decreases of FY 2023 estimated receipts to FY 2022 estimated receipts to be used in calculating the Municipal Revenue Growth Factor (MRGF). The Recap Page 3 Support form must be submitted to list each receipt type included in rows 22 and 23, Miscellaneous Recurring and Non-Recurring.

| APPROPRIATIONS                          |      |                                             |                                         |                                 |                                             |                                       |                                        |                                                    |                                            | AUTHORIZATIONS                         |  |
|-----------------------------------------|------|---------------------------------------------|-----------------------------------------|---------------------------------|---------------------------------------------|---------------------------------------|----------------------------------------|----------------------------------------------------|--------------------------------------------|----------------------------------------|--|
|                                         |      |                                             |                                         |                                 |                                             |                                       |                                        |                                                    |                                            | MEMO ONLY                              |  |
| City/Town Council or Town Meeting Dates | FY*  | (a)<br>Total Appropriations Of Each Meeting | (b)<br>**<br>From Raise and Appropriate | (c)<br>From Free Cash (See B-1) | (d)<br>From Other Available Funds (See B-2) | (e)<br>From Offset Receipts (See A-1) | (f)<br>From Enterprise Funds (See A-2) | (g)<br>From Community Preservation Funds (See A-4) | (h)<br>***<br>Departmental Revolving Funds | (i)<br>Borrowing Authorization (Other) |  |
| 04/26/2022                              | 2023 | 189,357,543.17                              | 164,882,724.00                          | 3,792,620.00                    | 5,123,520.17                                | 0.00                                  | 15,558,679.00                          | 0.00                                               | 0.00                                       | 5,185,000.00                           |  |
| 10/18/2022                              | 2023 | 6,737,534.37                                | 741,201.00                              | 0.00                            | 5,527,998.37                                | 0.00                                  | 468,335.00                             | 0.00                                               | 0.00                                       | 8,447,200.00                           |  |
| 04/26/2022                              | 2022 | 323,511.00                                  | 0.00                                    | 0.00                            | 241,457.00                                  | 0.00                                  | 82,054.00                              | 0.00                                               | 0.00                                       | 0.00                                   |  |
| Total                                   |      | 196,418,588.54                              | 165,623,925.00                          | 3,792,620.00                    | 10,892,975.54                               | 0.00                                  | 16,109,068.00                          | 0.00                                               |                                            |                                        |  |

\* Enter the fiscal year to which the appropriation relates.  
\*\* Appropriations included in column (b) must not be reduced by local receipts or any other funding source.  
Appropriations must be entered gross to avoid a duplication in the use of estimated or other sources of receipts.  
\*\*\* Include only revolving funds pursuant to Chapter 44, Section 53 E 1/2.

Clerk

I hereby certify that the appropriations correctly reflect the votes taken by City / Town / District Council.  
Diane Packer, Town Clerk , Natick , dpacker@natickma.org 508-647-6432 | 12/2/2022 9:47 AM  
Comment: dbp

Documents

No documents have been uploaded.

**ARTICLE 1**  
**Authorize Select Board to Acquire, Obtain, Abandon or Relocate Easements**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town will vote to authorize the Select Board, during Fiscal Year 2024, to acquire on behalf of the Town any and all easements for any of the following purposes: roads, sidewalks, vehicular and/or pedestrian access or passage, drainage and utilities, provided however that such authorization pertains only to easements acquired at no cost to the Town; and, further, to authorize the Select Board, subsequent to a public hearing, during Fiscal Year 2024 to abandon or relocate easements acquired for any of the foregoing purposes; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To renew the Select Board's authorization to accept and obtain easements, as well as abandon and relocate easements.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>11-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 23, 2023</b>   |

**MOTION** (Requires a Majority Vote)

Move that the Town vote to authorize the Select Board, during Fiscal Year 2024, to acquire on behalf of the Town any and all easements for any of the following purposes: roads, sidewalks, vehicular and/or pedestrian access or passage, drainage and utilities, provided however that such authorization pertains only to easements acquired at no cost to the Town; and, further, to authorize the Select Board, subsequent to a public hearing, during Fiscal Year 2024 to abandon or relocate easements acquired for any of the foregoing purposes.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

This has been a standing warrant article since the 2011 Fall Annual Town Meeting. The proposed motion includes language added through amendment at the 2016 Spring Annual Town Meeting; such language requires the Select Board to hold a public hearing prior to voting to abandon or relocate an easement. This is a standard article with broad historic support.

The authorization for Select Board to accept easements facilitates timely action when such opportunities arise, and on occasion such grants of easements to the Town involve the relocation of an existing easement, necessitating the abandonment of the old easement. As has been the case under prior authorizations, the acquisition of any easements would be only for easements acquired at no cost to the Town.

With this authorization, the Town is in a better position to respond quickly to an offer from a private party to grant an easement to the Town and avoid the risk of losing such opportunity and/or having to pay for the easement.

The Finance Committee met to discuss Article 1 at a meeting on March 23, 2023 and voted to recommend Favorable Action by a 11-0-0 vote.

~~ END OF ARTICLE ~~

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**ARTICLE 2**  
**Committee Article**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town will vote to hear and discuss the reports of town officers, boards, and committees; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To hear and discuss the reports of town officers, boards, and committees.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                  | DATE VOTED:      | <b>April 4, 2023</b>    |

**MOTION** (Requires a Majority Vote)

Move to hear and discuss the Net Zero report of the Natick Sustainability Committee.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

This has been a standing warrant article since the 2011 Fall Annual Town Meeting.

The Finance Committee received, and members individually reviewed, a report by the Natick Sustainability Committee. Mr. Leo Ryan, Sustainability Committee Chair, and Ms. Jillian Wilson-Martin, Sustainability Director spoke on behalf of Article 2.

Questions from the Committee

A member asked about green initiative for houses. Mr. Ryan stated that our utility partners have some energy efficiency opportunities and there's also incentives for solar and electric vehicles. He noted that the Sustainability Committee's goal is to serve as an education conduit to opportunities to reduce energy usage, whether it's through transportation or housing.

A member asked about emissions reductions over the last year. Ms. Wilson-Martin stated that this is difficult to measure as we rely on data from the state. Transportation makes up 35% of emissions and the most recent data provided by the Department of Motor Vehicles is from 2014. But that's something we've been working on with a regional planning agency. We also have some new tools that might be able to help us do a proxy estimate for the transportation side.

The member also asked about challenges. Ms. Wilson-Martin said one of the challenges is that we are working on an incredibly large goal that's not totally in the town's control. There was progress at the state level in terms of advancing actions that were identified in our net zero action plan such as changes to the energy code and building code for new buildings, and there's opportunities for municipalities like Natick to consider adopting even stricter building regulations, although that's not something that we're proposing today.

Another challenge that we have is that there's a lot of funding available for these efforts. Currently, Ms. Wilson-Martin is writing a grant application for over \$2.5M to do a project at an elementary school. There's a lot of funding available, mostly a result of the bipartisan infrastructure act, and we don't have the capacity to take advantage of all of it. She worries that we might miss some opportunities.

Mr. Ryan added one of the biggest obstacles is complacency and doing things the way they've always been done. He noted that we have the potential of building what we call stranded assets, schools and buildings that no longer support the community or can be heated, cooled, or provide electricity in the community the way we'd like. We want those assets that we build to be future proof to support our communities long into the future.

Several members inquired if Town Meeting should discuss the Net Zero report. Mr. Ryan stated that Town Meeting doesn't feel like the right setting for complex issues that deserve a deeper reflection and back and forth. They are available to support deep discussion, but he doesn't feel that Town Meeting is the best place to get into the technical aspects.

A member asked about opportunities for public contact and questions. Mr. Ryan noted that the Committee received feedback from public events, such as Natick Days and Earth Day. They also get regular feedback on initiatives such as for heat pumps, solar and composting. It's not enough, though. Ms. Wilson-Martin added that she sends out a monthly newsletter that has about 4,000 subscribers. We have also hosted events such as an energy assistance fair in the first week of February, we're hosting a conversation about heat pumps in the spring, and we've done multiple Zoom presentations that are recorded, including one that's a whole hour or more on one of just the points of pride that we shared in the presentation.

A member asked about how to ensure net zero efforts are not burdening people with limited incomes or limited net worth unduly or disproportionately.

Ms. Wilson-Martin highlighted work that is specifically targeting Natick's environmental justice neighborhoods, which are predominantly in West Natick with pockets in Natick Center and near Navy Yard in the commercial residential area by the Rail Trail. We received grants to do outreach that involved hiring community liaisons, who were paid a small stipend to share their feedback and help us design and conduct research, as well as focus groups in their language. It's a project we've been doing

with Ashland and Framingham as part of a regional grant. We did special mailers in multiple languages to the mail carrier routes where these individuals live. There's a presentation about the project that's available on Pegasus (Climate Equity Share Back Meeting 12-1-22).

We continue to do outreach to those groups. For the energy assistance fair, we did a mailer to those same areas of town. At that fair, we worked to help people understand their energy bills and connect them with Eversource and Mass Save, and the different providers of clean energy technology, including low-income community solar programs available.

The Finance Committee voted 12-0-0 to recommend that Town Meeting hear and discuss the report.

~~ END OF ARTICLE ~~

**ARTICLE 3**  
**Elected Officials Salary**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town of Natick for Fiscal Year 2024 (July 1, 2023 through June 30, 2023) as provided by Section 108 of Chapter 41 of the General Laws, as amended; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

A vote of Town Meeting is required to establish the Town Clerk's salary for FY 2024. The requirement has existed since the time when the state legislature adopted MGL Chapter 41, section 108.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>8-0-1</b>            |
|                                                  | DATE VOTED:      | <b>April 6, 2023</b>    |

**MOTION** (Requires a Majority Vote)

Move that the town vote to fix the salary and compensation of the following elected officer of the Town for the Fiscal Year 2024 (July 1, 2023 through June 30, 2024) as provided by section 108 Chapter 41 of the Massachusetts General Laws: Town Clerk: \$123,000.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

This article is an annual article that is required to appropriate funding for the salary of the Town Clerk, the only elected town official whose salary must be appropriated by Town Meeting. The Town Administrator's budget recommends \$123,000 as the compensation for FY23.

The Finance Committee met on April 6, 2023 to discuss Article 3.

Town Administrator Jamie Errickson presented the article. He explained that in Fall 2022, Town Meeting voted in favor of an article to move the Town Clerk position from elected to appointed. That proposal then went to the Town to be on the ballot. The Town voted in favor of making the Town Clerk

position an appointed position just a few weeks ago. He explained this to clarify that this may be the last time this article needs to come before this body.

Mr. Errickson confirmed that the current Town Clerk is an elected official until she chooses to move on, and then at that point, it would go to an appointed position through the Personnel Board.

This article is to increase the elected official salary to \$123,000. This increase is on par with comparable positions in neighboring towns with experienced department heads and leaders. He stated the proposal has been discussed with Ms. Packer. The current salary is \$115,000.

Ms. Packer reiterated that this is comparable to other positions within the town and that this salary has historically lagged behind other positions in Town Hall. She added that the Clerk's job has changed dramatically over the last few years due to the numerous changes to voting laws.

#### Questions from the Committee

A member asked if the Sponsor could elaborate on how the person in the current position can stay on as an elected official. Mr. Errickson clarified that the Town Clerk was historically an elected official in Natick and as such, does not collect the same benefits that are outlined in the personnel section of the bylaw, including, for example, sick time or vacation time. Ms. Packer retains her current status as an elected official until she chooses to vacate that position. She does not start collecting benefits like a Personnel Board employee would. Ms. Packer added that her understanding through Town Counsel is this is how it will remain despite the vote that changed the position. It stays this way until at which time she chooses to leave.

A follow up question was asked as to whether the Town Clerk currently reports to Town Administration. Mr. Errickson said Ms. Packer is included in department head meetings and we work extremely closely on all formal matters, but no, there is no formal legal hierarchy in the elected position role.

A member asked about what happens at the end of the current elected term.

Ms. Packer replied that if the incumbent were to choose to stay beyond 2025, when the term is up, then that person could apply to become or could automatically become the appointed Clerk. It would flip over once the term is over.

A member asked when this salary would be effective. Mr. Errickson clarified that this salary is on a fiscal year basis, so when this gets voted, it will be a July 1st start for the current person in the position. Once the role flips to appointed and to the Personnel Board, then it would flip to the Personnel Board pay plan. And from there, there is more discretion by Town Administration on compensation. Ms. Packer added that she does get health care benefits but does not accrue sick time, vacation time or personal time like other members currently on the personnel pay plan.

A member asked when this position moves to the Personnel Board, where would the role fit in the personnel board schedule? Would the position be grade four or grade five? Ms. Packer said at this point they have not gotten that far in the planning as the vote to the town only passed last week.

A member mentioned that the Assistant Clerk is currently grade three, so a grade four and grade five would fit this salary. Mr. Errickson shared that we would need to review any new job description with the Personnel Board.

A member mentioned that this was a 6.9% pay increase and asked what percentage other employees were getting this year for pay increases? Mr. Errickson clarified that the town revamped a merit review process about two years ago. He said that each year, they provide a compensation adjustment that is applied to everyone that is usually in the 1 - 2% range. And then they supplement that with a merit review process that averages around 2 - 2.5%. Depending on budgets, some people get less and some get more. As noted by Ms. Packer, this position has been historically underfunded and there has not been a merit review process for this position. So we're looking to get this on par with comparable positions of comparable responsibility for comparable years of service heading into the new fiscal year.

A follow up question was asked that last year they thought Town had agreed to move up the Town Clerk position leading to a \$10,000 pay increase. Mr. Errickson clarified that this has been a multi-year process and we did do part of the increase last year. Mr. Errickson shared this was the final leg of the increase.

A member asked that, now that the election has concluded, will the Town Clerk position be added to the personnel pay plan for Fall Town Meeting? Mr. Errickson said yes, their intent is to have the position ready well in advance of Fall Town Meeting.

~~ END OF ARTICLE ~~

**ARTICLE 4**  
**Personnel Board Classification and Pay Plan**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend Article 24 of the Natick Town By-Laws, specifically the Classification and Pay Plan referenced in Section 3, paragraph 3.10 therein, by adding, deleting or amending position titles; re-classifying positions to a different Grade; and/or effecting changes in the salary ranges as presently established; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To update the Personnel Board's Classification and Pay Plan to reflect new jobs added to the Classification. The pay plan creates the structure for compensation for town employees.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>9-0-3</b>            |
|                                                  | DATE VOTED:      | <b>March 14, 2023</b>   |

**MOTION** (Requires a Majority Vote)

Move that the Town vote to amend the By-Laws by changing in its entirety the table entitled Classification and Pay Plan that is incorporated by reference into Article 24, Section 3, Paragraph 3.10 with the new Classification and Pay Plan as follows:

**Town of Natick  
Classification and Pay Plan  
Effective January 1, 2022**

**Classification changes are effective upon vote of Personnel Board**

| Grade | Minimum      | Point 1      | Point 2      | Maximum      |
|-------|--------------|--------------|--------------|--------------|
| 6     | \$125,000.00 | \$140,000.00 | \$155,000.00 | \$181,500.00 |
| 5     | \$100,000.00 | \$120,000.00 | \$135,000.00 | \$159,500.00 |
| 4     | \$75,000.00  | \$90,000.00  | \$105,000.00 | \$137,500.00 |
| 3     | \$60,000.00  | \$72,000.00  | \$85,000.00  | \$115,500.00 |
| 2     | \$48,000.00  | \$55,000.00  | \$62,500.00  | \$88,000.00  |
| 1     | \$42,000.00  | \$48,000.00  | \$54,000.00  | \$70,000.00  |

| <b>GRADE 6</b>                                                       | <b>GRADE 3</b>                                      | <b>GRADE 2</b>                                                  |
|----------------------------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------------------|
| Chief of Police                                                      |                                                     | Assistant Assessor (non-certified)                              |
| Deputy Town Administrator/Director of Finance                        | Assistant Assessor (Certified)                      | Assistant Director, Bacon Free Library                          |
| Deputy Town Administrator/Operations                                 | Assistant Director of Assessing                     | Assistant Director, Farm                                        |
| Fire Chief                                                           | Assistant Director - Programs                       | Assistant Director, Internal Operations, Farm                   |
| Town Administrator                                                   | Assistant Director of Finance                       | Associate Project Coordinator                                   |
| Executive Director of Public Works & Facilities                      | Assistant Director- Resource Allocation             | Clinical Social Worker                                          |
| <b>GRADE 5</b>                                                       | Assistant Library Director, Morse Institute Library | Coordinator of Adaptive Programs                                |
|                                                                      | Assistant Director – Programs & Services            |                                                                 |
|                                                                      | Assistant Director - Services & Outreach            |                                                                 |
| Comptroller                                                          | Assistant Town Clerk                                | Executive Assistant                                             |
| Deputy Chief of Police                                               | Assistant to Town Administration                    | Executive Assistant to the Town Administrator & Select Board    |
|                                                                      |                                                     | Executive Assistant to the Fire Chief                           |
| Director of Community & Economic Development                         | Assistant Treasurer/Collector                       | Facility Custodial Supervisor                                   |
| Director of Facilities Management                                    | Bacon Free Director                                 | Golf Course Superintendent                                      |
| Director of Human Resources/Labor Relations                          | Benefits Manager                                    | Human Resources Coordinator                                     |
| Director of Information Technology                                   | Budget Analyst                                      | Payroll Manager                                                 |
| Director of Public Works                                             | Business Manager                                    | Program Manager Volunteer Services                              |
| Director of Community Services                                       | Communications Director                             | Sanitarian                                                      |
|                                                                      | Community & Economic Development Office Manager     |                                                                 |
|                                                                      | Development Review Planner                          | Senior Executive Assistant to the Chief of Police               |
|                                                                      | Director of Recreation Programs/Special Events      | Social Worker                                                   |
| <b>GRADE 4</b>                                                       | Environmental Health Agent                          | Case Manager                                                    |
|                                                                      | Executive Director, Farm                            | Special Asst. to Director of Facilities Management              |
| Assistant Comptroller                                                | Facility Maintenance Manager                        | Special Asst. to the Director of Finance                        |
| Building Commissioner                                                | Golf Course Manager                                 | Special Asst. to Director of Senior Center & Community Services |
|                                                                      |                                                     | System Specialist Administrative                                |
| Deputy IT Director/Systems Network Administrator                     | Housing/General Planner                             | Youth Center Coordinator                                        |
| Deputy Director of Public Works                                      | Information Systems Network Administrator           |                                                                 |
|                                                                      | Information Technology Manager                      |                                                                 |
| Director of Assessing                                                | Local Building Inspector (Certified)                | <b>GRADE 1</b>                                                  |
| Director of Equity, Inclusion, & Outreach                            | Open Space Planner/Conservation Agent               | Animal Control Officer                                          |
| Deputy Community Services Director Council on Aging & Human Services | Prevention & Outreach Program Manager               | Assistant Superintendent, Golf Course                           |
| Director of Procurement                                              | Project Manager                                     | Finance Coordinator                                             |
| Director of Public Health                                            | Public Health Nurse                                 | Golf Professional                                               |
| Deputy Community Service Director Recreation & Parks                 | Regulatory Compliance Coordinator                   | Outreach Coordinator                                            |
| Director of Sustainability                                           | Senior Environmental Health Specialist              | Parking Enforcement Officer                                     |
| Morse Library Director                                               | Senior Planner                                      | Police Records Coordinator                                      |
| Treasurer/Collector                                                  | Staff Accountant                                    | Student Officer                                                 |
|                                                                      | Veterans Agent                                      |                                                                 |

**Town of Natick  
Part-Time Classification and Pay Plan  
Effective January 1, 2022**

| <b>Grade</b> | <b>Minimum</b> | <b>Point 1</b> | <b>Point 2</b> | <b>Maximum</b> |
|--------------|----------------|----------------|----------------|----------------|
| <b>1</b>     | \$ 15.00       | \$ 19.00       | \$ 21.25       | \$ 23.50       |
| <b>2</b>     | \$ 17.50       | \$ 27.75       | \$ 31.00       | \$ 34.50       |
| <b>3</b>     | \$ 28.00       | \$ 36.50       | \$ 40.50       | \$ 45.00       |

**GRADE 1**

Assistant Leader (Rec)  
Assistant Swim Coach  
Attendant (Rec)  
Building Monitor I (Rec)  
Bus Dispatcher  
Bus Driver  
Cart Attendant (Golf)  
Clerical Assistant  
Club House Attendant (Golf)  
Club House Supervisor (Golf)  
Concession Manager  
Custodian  
Deputy Animal Control Officer  
Election Clerk  
Election Inspector  
Equipment Operator (Golf)  
Instructor  
Laborer I  
Leader/Counselor (Rec)  
Library Page (Morse)  
Parking Clerk  
Ranger/Starter (Golf)  
Receptionist  
School Crossing Guard (1<sup>st</sup> year)  
Senior Counselor Certified-Rec)  
Specialist (Rec)  
Timer/Scorer

**GRADE 2**

Administrative Support  
Assistant Director (Rec)  
Bookkeeper  
Building Monitor II (Rec)  
Camp Director  
Community Garden Coordinator  
Conservation Agent  
Election Warden  
Golf Course Mechanic  
Head Lifeguard  
Instructor II  
Intern Cooperative  
Laborer II  
Library Assistant (Bacon)  
Lifeguard  
Parking Enforcement Officer  
Plumbing & Wiring Inspector  
Police Matron  
Police Transcriber  
Program Assistant  
Program Supervisor (Rec)  
Recycling Attendant  
School Crossing Guard  
Social Worker  
Swim Coach  
Transportation Coordinator  
Volunteer Coordinator I

**GRADE 3**

Adult Contractor  
Beach Manager  
Building Inspector  
Certified Sports Official  
Health Care Supervisor  
Instructor III  
Laborer III  
Nurse (RN)  
Volunteer Coordinator II

~~ END OF MOTION ~~

## FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

The Finance Committee met on March 14, 2023 to discuss Article 4 and voted Favorable Action 9-0-3. Mr. Steve Levinsky, Chair of the Personnel Board, presented. Mr. Jon Marshall, Deputy Town Administrator, and Mr. John Townsend, Deputy Town Administrator, also attended.

Mr. Levinsky explained that the Personnel Board annually presents a classification and pay plan for general government nonunion employees - which is roughly 65 employees. The part-time pay plan is unchanged. For the full-time pay plan, there are no proposed changes to salary ranges, but there are some changes to titles and some new titles were created:

| Grade | New title & description                                                                                                                                                                             | Modified description                                          |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 6     | Executive Director of Public Works & Facilities                                                                                                                                                     |                                                               |
| 5     |                                                                                                                                                                                                     | Director of Facilities Management<br>Director of Public Works |
| 4     |                                                                                                                                                                                                     |                                                               |
| 3     | Assistant Director - Programs<br>Assistant Director - Resource Allocation<br>Assistant Director - Programs & Services<br>Assistant Director - Services & Outreach<br>Information Technology Manager | Business Manager                                              |
| 2     | Case Manager                                                                                                                                                                                        | Payroll Manager                                               |
| 1     | Assistant Superintendent - Golf Course                                                                                                                                                              | Animal Control Officer                                        |

### Questions from the Committee

A member asked about the thought process to not change salary ranges in the proposed pay plan. Mr. Levinsky explained that this decision was based on a comprehensive 19 or 20 town salary survey and the results showed that these ranges were more than competitive. He further commented that Town administration has not notified the Personnel Board that the Town is having trouble hiring based on the salary ranges. Other factors may be impacting hiring, but it is not pay.

A member asked for clarification of what the survey was based on since not all jobs are being filled in all departments and the member thought it might be related to pay. Mr. Levinsky said that the survey was based on the examination of 19 or 20 other towns that are similar to Natick and have job positions similar to Natick. He stressed that the pay plan is specific to government positions and not private

industry positions. Mr. Marshall also commented that some of the vacancies are due to the market and lack of applications. Many other communities are in the same position.

A member asked how many new positions were being added to the pay plan. Mr. Marshall confirmed that even with the changes in titles, there would not be any new FTE positions added at this time.

A member asked about the elimination of the Social Worker Administrator position and if it was being rolled into another position. Mr. Marshall confirmed that it was being rolled into the Assistant Director - Programs and Outreach position.

A member asked what the total FTE and PTE positions were for last year and if the numbers are different this year. Mr. Townsend said that he did not have the numbers at hand, but that the numbers could be provided at a later time.

## RED-LINED VERSION OF THE FULL-TIME CLASSIFICATION AND PAY PLAN:

### Town of Natick Classification and Pay Plan Effective January 1, 2022

Classification changes are effective upon vote of Personnel Board

| Grade | Minimum      | Point 1      | Point 2      | Maximum      |
|-------|--------------|--------------|--------------|--------------|
| 6     | \$125,000.00 | \$140,000.00 | \$155,000.00 | \$181,500.00 |
| 5     | \$100,000.00 | \$120,000.00 | \$135,000.00 | \$159,500.00 |
| 4     | \$75,000.00  | \$90,000.00  | \$105,000.00 | \$137,500.00 |
| 3     | \$60,000.00  | \$72,000.00  | \$85,000.00  | \$115,500.00 |
| 2     | \$48,000.00  | \$55,000.00  | \$62,500.00  | \$88,000.00  |
| 1     | \$42,000.00  | \$48,000.00  | \$54,000.00  | \$70,000.00  |

| GRADE 6                                                              | GRADE 3                                                                                                | GRADE 2                                                         |
|----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| Chief of Police                                                      | Assistant Assessor (Certified)                                                                         | Assistant Assessor (non-certified)                              |
| Deputy Town Administrator/Director of Finance                        | Assistant Director of Assessing                                                                        | Assistant Director, Bacon Free Library                          |
| Deputy Town Administrator/Operations                                 | <del>Assistant Director of Council of Aging</del> <u>Assistant Director - Programs</u>                 | Assistant Director, Farm                                        |
| Fire Chief                                                           | Assistant Director of Finance                                                                          | Assistant Director, Internal Operations, Farm                   |
| Town Administrator                                                   | <del>Assistant Director of Recreation &amp; Parks</del> <u>Assistant Director- Resource Allocation</u> | Associate Project Coordinator                                   |
| <u>Executive Director of Public Works &amp; Facilities</u>           | Assistant Library Director, Morse Institute Library                                                    | Clinical Social Worker                                          |
| GRADE 5                                                              | <u>Assistant Director – Programs &amp; Services</u>                                                    | Coordinator of Adaptive Programs                                |
|                                                                      | <u>Assistant Director - Services &amp; Outreach</u>                                                    |                                                                 |
| Comptroller                                                          | Assistant Town Clerk                                                                                   | Executive Assistant                                             |
| Deputy Chief of Police                                               | Assistant to Town Administration                                                                       | Executive Assistant to the Town Administrator & Select Board    |
| Director of Community & Economic Development                         | Assistant Treasurer/Collector                                                                          | Executive Assistant to the Fire Chief                           |
| Director of Facilities Management                                    | Bacon Free Director                                                                                    | Facility Custodial Supervisor                                   |
| Director of Human Resources/Labor Relations                          | Benefits Manager                                                                                       | Golf Course Superintendent                                      |
| Director of Information Technology                                   | Budget Analyst                                                                                         | Human Resources Coordinator                                     |
| Director of Public Works                                             | Business Manager                                                                                       | Payroll Manager                                                 |
| Director of Community Services                                       | Communications Director                                                                                | Program Manager Volunteer Services                              |
|                                                                      | Community & Economic Development Office Manager                                                        | Sanitarian                                                      |
|                                                                      | Development Review Planner                                                                             | Senior Executive Assistant to the Chief of Police               |
| GRADE 4                                                              | Director of Recreation Programs/Special Events                                                         | Social Worker                                                   |
|                                                                      | Environmental Health Agent                                                                             | <u>Social Worker Coordinator</u>                                |
|                                                                      | Executive Director, Farm                                                                               | <u>Case Manager</u>                                             |
| Assistant Comptroller                                                | Facility Maintenance Manager                                                                           | Special Asst. to Director of Facilities Management              |
| Building Commissioner                                                | Golf Course Manager                                                                                    | Special Asst. to the Director of Finance                        |
| Deputy IT Director/Systems Network Administrator                     | Housing/General Planner                                                                                | Special Asst. to Director of Senior Center & Community Services |
| Deputy Director of Public Works                                      | Information Systems Network Administrator                                                              | System Specialist Administrative                                |
|                                                                      | <u>Information Technology Manager</u>                                                                  | Youth Center Coordinator                                        |
| Director of Assessing                                                | Local Building Inspector (Certified)                                                                   |                                                                 |
| Director of Equity, Inclusion, & Outreach                            | Open Space Planner/Conservation Agent                                                                  | GRADE 1                                                         |
| Deputy Community Services Director Council on Aging & Human Services | Prevention & Outreach Program Manager                                                                  | Animal Control Officer                                          |
| Director of Procurement                                              | Project Manager                                                                                        | <u>Assistant Superintendent-Golf Course</u>                     |
| Director of Public Health                                            | Public Health Nurse                                                                                    | Finance Coordinator                                             |
| Deputy Community Service Director Recreation & Parks                 | Regulatory Compliance Coordinator                                                                      | Golf Professional                                               |
| Director of Sustainability                                           | Senior Environmental Health Specialist                                                                 | Outreach Coordinator                                            |
| Morse Library Director                                               | Senior Planner                                                                                         | Parking Enforcement Officer                                     |
| Treasurer/Collector                                                  | <u>Social Work Administrator</u>                                                                       | Police Records Coordinator                                      |
|                                                                      |                                                                                                        | Student Officer                                                 |

~ END OF ARTICLE ~

**ARTICLE 5**  
**Collective Bargaining**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide, to implement any Collective Bargaining Agreements between the Town of Natick and any recognized bargaining units of the Town; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

Under this Article, Town Meeting is asked to appropriate funds for the current fiscal year (and prior fiscal year, if applicable) for collective bargaining agreements (CBAs) that have been ratified by their respective unions as well as management; such appropriation requirement applies only to General Government unions, of which there are ten.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>9-0-0</b>            |
|                                                  | DATE VOTED:      | <b>April 6, 2023</b>    |

**MOTION** (Requires a Majority Vote)

Move that the Town vote to appropriate the total sum of \$213,335 from the FY23 Omnibus Budget, ARPA Revenue Replacement, as approved by vote of the 2022 Fall Annual Town Meeting, Article 2 Motion A, as a supplement to the FY 2023 Public Safety Budget, Police Salaries, for the implementation of the Terms of the Agreements reached between the Town and the following collective bargaining units:

New England Police Benevolent Association, Inc., Local 182 – Dispatchers;  
New England Police Benevolent Association, AFL-CIO, Local 82 - Superior Officers.

For payment of wages effective July 1, 2023 through June 30, 2024.

The total sum of \$213,335 shall be transferred to the following departmental line item in FY2024 as indicated below:

Public Safety - Police – Salaries - \$213,335

## **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee met on April 6, 2023, to discuss Article 5 and voted to recommend Favorable Action 9-0-0.

Articles 5 and 6 were discussed concurrently. Jamie Errickson, Town Administrator, presented.

Mr. Errickson reported that they have bargained and settled all 10 expired contracts from a year and a half ago and have no contracts expiring in the upcoming fiscal year. Articles 5 and 6 relate to two of the three police unions: Dispatchers and Superior Officers, the lieutenants and sergeants. The other union, Patrol Officers, was funded at fall town meeting.

For Dispatch, the new contract is for a period of three years, starting from July 2021 and ending in June 2024. The contract includes 2% COLA (cost of living adjustment) increases each year, as well as the removal and addition of a step in the second year of the contract. The aim of these changes is to make the compensation levels for employees in a small unit more comparable with other dispatch centers in the area. Turnover has been high and we still have some open positions.

The new contract includes the addition of the Juneteenth holiday, which has been a part of collective bargaining agreements with all other units.

There are also some language changes related to dispatchers' overtime, in-service training, and Phase One calls. The change in overtime rules allows dispatchers to have the right of first refusal before others can claim overtime. The number of hours for in-service training has been reduced slightly due to the high demand on employees' time. The goal is to incentivize dispatchers to complete the training they can.

Phase One calls require more work because the location of the caller is unknown. They are typically cell phone with 3g and below or some 4g and below, and they are more complex to handle than newer technology calls. Dispatchers will need additional training to handle these calls effectively.

For Superior Officers, the negotiations included civil service. In the fall, Town Meeting voted to support a home rule petition regarding civil service for the Patrol Officers. In order for us to move the entire department out of civil service, we need both the Patrol and Superior Officers. This agreement is a one-year and a three-year contract that will allow us to absorb the costs over four years. The one-year is for fiscal year 22: it's a 2% COLA, plus Juneteenth. The three-year contract is for fiscal years, 23, 24 and 25. It includes a 2%, a 1% and a 2% COLA, respectively.

The contract also includes wrapping training incentives into the base salary to achieve parity with the Patrol contract, negotiating a full Quinn Bill benefit for one member, and allowing traffic constables from outside the organization to handle requests for job site details. This would help with operations and generate revenue from private contractors. The total amount to cover these contracts in FY24 is \$213,335.

**~~ END OF ARTICLE ~~**

**ARTICLE 6**  
**Home Rule Petition: Natick Superior Officers – Exemption from Civil Service**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town will vote to authorize the Select Board to petition the General Court of the Commonwealth to enact special legislation, and to revoke prior special acts, pursuant to bargaining agreements between the Town of Natick and the New England Police Benevolent Association, Inc., Local 82, so that the position of Police Sergeant and Police Lieutenant in the Town of Natick shall be exempt from chapter 31 of the General Laws and related regulations applicable thereto, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition. However, the foregoing exemption shall not impair the civil service status of the present Police Sergeants and Police Lieutenants employed by the Police Department of the Town of Natick; or to otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To exempt the positions of Police Sergeant and Police Lieutenant from Civil Service for new hires.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>9-0-0</b>            |
|                                                  | DATE VOTED:      | <b>April 6, 2023</b>    |

### **MOTION (Requires a Majority Vote)**

Move that the Town vote to authorize the Select Board to petition the General Court of the Commonwealth to enact special legislation, in substantially the form as set forth below, to exempt all police superior officers in the Natick Police Department from the provisions of Chapter 31 of the General Laws relative to Civil Service, or to take any other action relative thereto.

### **AN ACT EXEMPTING TOWN OF NATICK POLICE SUPERIOR OFFICERS FROM THE PROVISIONS OF THE CIVIL SERVICE LAW**

*Be it enacted by the Senate and House of Representatives in General assembled, and by the authority of the same, as follows:*

SECTION 1. Notwithstanding chapter 31 of the General Laws, or any other general or special law to the contrary, all position of police superior officers within the police department in the Town of Natick shall be exempt from the provisions of Chapter 31 of the General Laws.

SECTION 2. Section 1 shall not impair the Civil Service status of any person holding the position of police superior officer in the Town of Natick on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

### **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee met on April 6, 2023, to discuss Article 6 and voted to recommend Favorable Action 9-0-0.

As part of the Collective Bargaining Agreement (CBA) with the Superior Officers, the union agreed to remove Civil Service from the contract. *See discussion under Article 5 for details.*

This motion is very similar to 2022 FATM Article 12, which was a home rule petition removing Patrol Officers from Civil Service. It follows a similar format of other Home Rule petition articles whereby it authorizes the Select Board to petition the legislature to have the Superior Officers removed from Civil Service.

**~~ END OF ARTICLE ~~**

**ARTICLE 7**  
**Omnibus Budget Articles**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

**Town**

To determine what sum of money the Town will appropriate and raise, transfer from available funds for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2023 (July 1, 2022 through June 30, 2023) and to provide for a reserve fund for Fiscal Year 2023 and to see what budgets for Fiscal Year 2023 will be reduced to offset said additional appropriations;

To determine what sum of money the Town will appropriate and raise, or transfer from available funds for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2024 (July 1, 2023 through June 30, 2024) and to provide for a reserve fund for Fiscal Year 2024;

**Libraries**

To determine what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for Fiscal Year 2023 (July 1, 2022 through June 30, 2023);

To determine what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for Fiscal Year 2024 (July 1, 2023 through June 30, 2024);

To determine what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Bacon Free Library, for Fiscal Year 2023 (July 1, 2022 through June 30, 2023);

To determine what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Bacon Free Library, for Fiscal Year 2024 (July 1, 2023 through June 30, 2024);

or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To fund the operations of the various Town and School Departments, the Water & Sewer Enterprise Fund and the Sassamon Trace Golf Course Enterprise Fund; and further to fund the Morse Institute Library and Bacon Free Library in order to continue providing the town of Natick with free public library access.

## FINANCE COMMITTEE RECOMMENDATION – MOTION A

|                                                                     |                  |                         |
|---------------------------------------------------------------------|------------------|-------------------------|
| <b>MOTION A</b><br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                     | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                     | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION A (Requires a Majority Vote)

| <b>Motions for Article 7, Motion A: Education &amp; Learning</b>                                                                                                                                                                                                     |                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Motion A: Requires Majority Vote</b>                                                                                                                                                                                                                              |                      |
| Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the Natick Public Schools, Morse Institute Library, Bacon Free Library and pay for the assessment for South Middlesex Regional Vocational Technical Schools. |                      |
| <b>Natick Public Schools</b>                                                                                                                                                                                                                                         |                      |
| Salaries & Expenses                                                                                                                                                                                                                                                  | \$ 83,279,134        |
| <b>Total Natick Public Schools</b>                                                                                                                                                                                                                                   | <b>\$ 83,279,134</b> |
| <b>South Middlesex Regional Vocational Technical Schools (Keefe Tech School)</b>                                                                                                                                                                                     |                      |
| Expense (Assessment)                                                                                                                                                                                                                                                 | \$ 1,063,493         |
| <b>Total South Middlesex Regional Vocational Technical Schools (Keefe Tech School)</b>                                                                                                                                                                               | <b>\$ 1,063,493</b>  |
| <b>Morse Institute Library</b>                                                                                                                                                                                                                                       |                      |
| Salaries                                                                                                                                                                                                                                                             | \$ 2,120,031         |
| Expenses                                                                                                                                                                                                                                                             | \$ 418,525           |
| <b>Total Morse Institute Library</b>                                                                                                                                                                                                                                 | <b>\$ 2,538,556</b>  |
| <b>Bacon Free Library</b>                                                                                                                                                                                                                                            |                      |
| Salaries                                                                                                                                                                                                                                                             | \$ 196,071           |
| Expenses                                                                                                                                                                                                                                                             | \$ 36,934            |
| <b>Total Bacon Free Library</b>                                                                                                                                                                                                                                      | <b>\$ 233,005</b>    |
| <b>Total Budget Amount for Motion A</b>                                                                                                                                                                                                                              | <b>\$ 87,114,188</b> |
| <b>And that the above <u>\$87,114,188</u> be raised from the following sources:</b>                                                                                                                                                                                  |                      |
| Tax Levy for Fiscal Year 2024                                                                                                                                                                                                                                        | \$ 87,114,188        |

## **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION A**

### **Natick Public Schools**

- New positions added to the budget: 5 library media specialists, additional special area teachers, part-time Vice Principals, 5 Instructional Technology coaches, a Data Manager position, and a family engagement registrar.
- The dysregulation of students' behavior has increased due to the pandemic, and some kindergarteners still need diapering in March.
- The budget also includes changes within the population, such as making an art teacher full-time to serve an additional section of students, and expanding the French teacher's workload.
- Previously grant-funded positions, such as reading specialists and interventionists, have been moved to the general fund due to a decrease in Title One funding.
- The budget also includes additional counselors, tutors, behavioral teachers, and sped testing teachers due to an extreme backlog of testing for special education services.
- NPS has received additional circuit breaker funding for students with special needs.
- NPS has repurposed some positions and used circuit breaker funding to create a new assistive technology position, which helps minimize the impact to the general fund
- NPS is reimbursed for the previous year's special ed transportation expenses in the current fiscal year. We aim to keep a balance of \$800,000 in case of unexpected movements of students who need special ed transportation.
- The district is addressing needs and avoiding adding full-time equivalent (FTE) positions through internal moves and repurposing staff.

### **Transportation**

- NPS is currently in the second year of a three-year contract for transportation.
- Fuel transportation costs have increased, and the quarterly bus contract will include an additional \$126,000 due to fuel escalation.
- The district collected additional fees from bus transportation due to students returning after COVID restrictions were lifted, which will be used to offset transportation costs.
- The district is updating its transportation software to provide real-time notification of bus progress and online registration.
- The transportation budget request is offset by transportation bus fees, and there is no federal or state reimbursement for McKinney Vento transportation.
- The town is not providing any funding for transportation costs this year but will reinstate it next year.

## **Technology**

- The budget is mainly focused on sustaining the one-to-one program for grades 5-12, which now uses Chromebooks for students and Apple laptops for staff.
- The budget includes maintenance and repair support for district-wide equipment, such as projectors, security cameras, and other key technologies.
- The cost of sustaining the Kennedy data center is also included in the budget.
- The technology budget request for this year is up \$264,643 from last year, and \$300,000 was moved to capital in FY23. The decision to include or exclude capital pieces in the budget depends on guidance from Town Administration.

## **Pupil Services**

- Pupil services is overseen by the Director of Student Services and Equity
- There have been increases in professional development for dyslexia screening and reading interventions
- Home hospital tutoring services for acute mental health needs, social emotional learning screening tools to be added in FY 25
- Tuition at Norfolk Agricultural Technical School is not reimbursed by state, transportation costs covered by district
- 14% tuition increase for all out-of-district placements causing an \$800,000 hit for the district
- Total ask for Pupil Services this year is \$6,566,535, a variance of \$770,9054

## **Teaching, Learning, and Innovation**

- Teaching, Learning, and Innovation includes curriculum, assessment, and interventions.
- Professional development has increased, including free courses from Harvard and MIT for staff with a master's degree, and slightly raised tuition reimbursement for teachers and paraprofessionals.
- The budget includes teacher evaluation software, intervention and digital subscriptions, and a new curriculum adoption process.
- The budget also includes the first year of materials for the deployment of new math curriculum and elementary social emotional learning curriculum.
- In some years, the town may request a capital request for the adoption of curriculum materials, which is a big expense that occurs only once every few years.



## THE 2023 SATM APPROPRIATION REQUEST

**FY24 Budget Request 3/20/23 = \$ 84,848,689**

**FY24 Town Proposed Appropriation 3/20/23 = \$ 83,279,134**

**Variance = (\$1,569,555)**

**Use of additional circuit breaker reimbursement + \$1,569,555**



**\$ 0**

### Keefe Tech

- Jon Evans, superintendent of Keefe Tech, and Dolly Sharek, director of finance and business operations, presented
- Keefe Tech continues to be at capacity with over 400 applicants for the next freshman class.
- 50% of the class of 2022 went on to college, and Keefe Tech currently has six AP courses.
- In career and technical areas, Keefe Tech opened a state-of-the-art HVAC program that is thriving.
- Under student services, Keefe Tech established the Bright program for mental health support, added a certified nursing assistant to the health office, and implemented a successful peer mentoring program.
- The budget development process was positive, with three open meetings of the budget subcommittee where every line item of the budget was presented and questions were answered.
- We currently have 46 students from Natick, which is a decrease of five students or a decrease of 9.8%.
- We currently have over 30 accepted students from the town of Natick for next year's freshman class.
- The assessment request is \$1,063,493. That is a decrease of \$77,596 or a decrease of 6.8% from FY 23.

## **Morse Institute Library**

- The Morse Institute Library is celebrating 150 years of serving the Natick community.
- The library has transformed from an institution with only two staff members to an institution with 54 full and part-time staff members.
- They have over 405,560 print and non-print materials available to the community.
- In FY 22, the library served nearly 14,000 patrons and increased circulation by 113,190 items or 33% compared to FY 21.
- The library checked out over 49,000 digital items to patrons in FY 22 and is projecting a 65% increase in digital borrowing for FY 23.
- Natick libraries assisted the Minuteman network in achieving over 3 million overnight checkouts across the 41 member libraries in FY 22.
- Current circulation trends suggest a total circulation of about 451,000 items for FY 23.
- The relationship between the Morse Institute and the Bacon Free Library allows Natick residents to get library materials more quickly.
- In FY 22, the Morse Institute delivered 1,652 items to the Bacon Free Library for checkout.
- Reciprocal borrowing is vital to the success of the library and allows Natick residents to borrow materials from other libraries and certified libraries to borrow from Natick.
- In FY 22, Natick residents borrowed 91,581 items from Massachusetts libraries and Natick libraries loaned 123,079 items to other Massachusetts libraries through reciprocal borrowing.
- The Morse Institute meets the municipal appropriation requirements and materials expenditure requirements with some qualifications. The budget line for the library materials still does not independently meet the materials expenditure requirement as established by the SPLC.

| Description                        | FY23 Budgeted      | FY24 Proposed      | % Change    | Notes                                                                          |
|------------------------------------|--------------------|--------------------|-------------|--------------------------------------------------------------------------------|
| Salaries- Management               | \$108,573          | \$110,046          | 1.3         |                                                                                |
| Salaries- Supervisory              | \$197,412          | \$203,112          | 2.8         |                                                                                |
| Salaries- Operational Staff        | \$472,665          | \$482,880          | 2.1         |                                                                                |
| Salaries- Technical/Professional   | \$877,395          | \$887,194          | 1.1         |                                                                                |
| Salaries- Substitute Workers       | \$0                | \$0                | 0.0         |                                                                                |
| Salaries- Part-time Operational    | \$313,766          | \$322,606          | 2.7         |                                                                                |
| Salaries- Pages                    | \$55,516           | \$50,193           | -10.6       |                                                                                |
| Longevity                          | \$16,000           | \$14,000           | -14.3       |                                                                                |
| Salaries- Sunday/ Pay Differential | \$50,000           | \$50,000           | 0.0         |                                                                                |
| <b>Total</b>                       | <b>\$2,091,327</b> | <b>\$2,120,031</b> | <b>1.4</b>  |                                                                                |
| Description                        | FY23 Budgeted      | FY24 Proposed      | % Change    | Notes                                                                          |
| Dues & Memberships                 | \$0                | \$69,000           |             | New line,formerly combined w/ Computer Maintenance                             |
| Library Programming                | \$0                | \$10,000           |             | New line for FY24                                                              |
| Computer Maintenance               | \$90,920           | \$25,000           |             | Less w/ Dues & Fees removed; combined line is 3.39% overall increase from FY23 |
| Telephone                          | \$2,700            | \$2,700            |             |                                                                                |
| Training & Education               | \$7,500            | \$7,500            | 0.0         | Budgeted as per CBA                                                            |
| Postage                            | \$2,500            | \$2,500            | 0.0         |                                                                                |
| Copy/Mail Center Fees              | \$1,000            | \$1,000            | 0.0         |                                                                                |
| Purchased Services Misc            | \$4,525            | \$4,525            | 0.0         |                                                                                |
| Library Supplies                   | \$26,300           | \$26,300           | 0.0         |                                                                                |
| Library Materials                  | \$260,000          | \$270,000          | 3.7         |                                                                                |
| <b>Total</b>                       | <b>\$395,445</b>   | <b>\$418,525</b>   | <b>5.5</b>  |                                                                                |
| <b>Totals</b>                      | <b>\$2,486,772</b> | <b>\$2,538,556</b> | <b>2.04</b> |                                                                                |

### **Bacon Free Library**

- Bacon Free Library was established in 1880 by Oliver Bacon on land that is the original site for the town of Natick and is also on sacred land for indigenous peoples.
- The building houses both the Bacon Free Library and the Native Historical Society, which operate under separate boards of trustees.

- The library has six part-time staff and one full-time director, and offers 44 hours a week of service, in addition to special evening and weekend outreach events and programs.
- The library collaborates extensively with the Morse library, with daily delivery services between the two libraries, bookmobile services for both libraries and local schools, and joint marketing and advertising.
- In fiscal year 22, the library circulated over 37,000 physical items, a 5% increase over the prior fiscal year, and offered 304 programs serving over 4000 patrons.
- Programming includes a hybrid of virtual and in-person programs for all ages, seasonal outdoor programs, a musical program every other week for ages zero to three, and a seed lending library.
- The library receives funding from the Friends of the Bacon Free Library, the Bacon Free Library Corporation, Mass Cultural Council grants, and sponsorships.
- The proposed budget for the next fiscal year is \$233,005, which includes an increase in library programming funding and a 2.2% overall increase due to increased utility and supply costs.

## FINANCE COMMITTEE RECOMMENDATION – MOTION B

|                                                                     |                  |                         |
|---------------------------------------------------------------------|------------------|-------------------------|
| <b>MOTION B</b><br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                     | QUANTUM OF VOTE: | <b>11-0-1</b>           |
|                                                                     | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION B (Requires a Majority Vote)

| <b>Motions for Article 7, Motion B: Public Safety</b>                                                                                                     |                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Motion B: Requires Majority Vote</b>                                                                                                                   |                      |
| <b>Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the Public Safety Departments of the Town.</b> |                      |
| <b>Emergency Management</b>                                                                                                                               |                      |
| Expenses                                                                                                                                                  | \$ 45,820            |
| <b>Total Emergency Management</b>                                                                                                                         | <b>\$ 45,820</b>     |
|                                                                                                                                                           |                      |
| <b>Parking Enforcement</b>                                                                                                                                |                      |
| Salaries                                                                                                                                                  | \$ 115,455           |
| Expenses                                                                                                                                                  | \$ 86,950            |
| <b>Total Parking Enforcement</b>                                                                                                                          | <b>\$ 202,405</b>    |
|                                                                                                                                                           |                      |
| <b>Police</b>                                                                                                                                             |                      |
| Salaries                                                                                                                                                  | \$ 8,001,272         |
| Expenses                                                                                                                                                  | \$ 369,113           |
| <b>Total Police</b>                                                                                                                                       | <b>\$ 8,370,385</b>  |
|                                                                                                                                                           |                      |
| <b>Fire</b>                                                                                                                                               |                      |
| Salaries                                                                                                                                                  | \$ 10,494,245        |
| Expenses                                                                                                                                                  | \$ 324,000           |
| <b>Total Fire</b>                                                                                                                                         | <b>\$ 10,818,245</b> |
|                                                                                                                                                           |                      |
| <b>Total Budget Amount for Motion B</b>                                                                                                                   | <b>\$ 19,436,855</b> |
| <b>And that the above \$19,436,855 be raised from the following sources:</b>                                                                              |                      |
| Tax Levy for Fiscal Year 2024                                                                                                                             | \$ 17,836,855        |
|                                                                                                                                                           |                      |
| Parking Meter Revenue                                                                                                                                     | \$ 100,000           |
| ARPA Revenue Replacement                                                                                                                                  | \$ 1,500,000         |

## **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION B**

### Emergency Management

- The department receives \$9,500 annually for Emergency Management grants typically used for special projects, not operations
- The emergency management budget is usually level-funded, but this year there was a change related to upgrading the emergency radio systems used by police, fire, DPW, and part of the school system.
- The maintenance costs of the radio system used to be split between police and fire budgets but are now being absorbed by the emergency management budget. Emergency Management will maintain all systems for efficiency and consistency in emergency scenarios.
- The repairs and maintenance line item in the emergency management budget increased to absorb the cost of the radio systems used by police, fire, and DPW.

### Parking Enforcement

- Parking enforcement department has many different aspects including collection services and day-to-day enforcement
- The department went out for bid for their parking enforcement app and software and a new vendor was chosen with slightly higher costs
- During the changeover process, it was discovered that costs associated with the parking program were spread out among different departments and line items
- To better track and evaluate actual costs, all costs related to the parking program have been consolidated under the Parking Enforcement budget starting in FY24
- This includes costs previously covered by the police operations budget and the treasurer collector budget, such as cellular service, kiosk modems, and credit card transaction fees
- The increase in the parking collection services line item is due to bringing all these costs into one location for better tracking and evaluation
- The lease for the St. Pat's lot is also held in the parking enforcement budget and is reviewed and negotiated with the town administrator
- Budget is currently sufficient

### Police

- The new Deputy Police Chief was filled internally
- Some vacant positions filled, but there are currently five open positions
- There were three retirements in 2023 and four more individuals are eligible to retire, but have not indicated their plans yet.

- Reduction in salaries is due to loss of senior members and replacement by lower-level members
- There is no dedicated officer for traffic enforcement due to staffing shortages. Investigators had to be temporarily reassigned due to staffing shortages.
- The costs of a social worker on call to the department have been covered through a grant
- Town administration has already approved the hiring of a second clinician, but we can't find anyone to hire right now
- Grants providing funding for the Dispatch Center and School Violence Prevention Program are expiring soon
- FY24 budget includes settlements for two police department unions
- Expenses are level funded except for increase in assessment center due to contractual obligation for promotional exams every other year. FY24 is the year for the promotional process. Assessment center cost will be reduced in FY25
- There has been an increase in traffic and crashes since the recovery from Covid
- Larceny of property, specifically theft from unlocked motor vehicles, is a continuing concern
- Fraud cases, particularly identity fraud, are increasing
- Liquor law violations are increasing due to more inspections of licensed establishments
- The department is still evaluating the performance of hybrid police cruisers in their third year of use

### Fire Department

- Chief Jason Ferschke is new and previously spent five or six years as a Deputy Fire Chief in Westboro, Massachusetts.
- The settlement of the fire department's collective bargaining agreement had an impact on costs and cost comparisons.
- A new billing system was implemented for ambulance fees, and a new program is being implemented to assist senior citizens with supplemental dollars.
- Staffing for the second ambulance is still an issue, and the Chief discussed plans for the future.
- The impact of Framingham Union Hospital on ambulance services was discussed.
- The Chief talked about a new system called First Due, which could lead to savings in scheduling, managing assets, and reporting incidents.
- The Chief presented his 24 Capital requests, which were all in the 24 budget.
- The status of the audited ladder truck was discussed.
- Spending comparisons year on year were done and adequately explained.

## FINANCE COMMITTEE RECOMMENDATION – MOTION C

|                                                                     |                  |                         |
|---------------------------------------------------------------------|------------------|-------------------------|
| <b>MOTION C</b><br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                     | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                     | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION C (Requires a Majority Vote)

| <b>Motions for Article 7, Motion C: General Government</b>                                                                                                                                                                                                                                                                                                         |           |                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------------|
| <b>Motion C: Requires Majority Vote</b>                                                                                                                                                                                                                                                                                                                            |           |                   |
| Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the Public Works, Community Services, Board of Health, Select Board, Personnel Board, Town Report, Legal, Finance, IT, Town Clerk, Board of Registrars, Weights & Measurers, Community Development, Committees & Commissions and Affordable Housing Trust. |           |                   |
| <b>Public Works</b>                                                                                                                                                                                                                                                                                                                                                |           |                   |
| Salaries                                                                                                                                                                                                                                                                                                                                                           | \$        | 4,791,379         |
| Expenses                                                                                                                                                                                                                                                                                                                                                           | \$        | 3,626,636         |
| Municipal Energy                                                                                                                                                                                                                                                                                                                                                   | \$        | 1,876,500         |
| Snow & Ice                                                                                                                                                                                                                                                                                                                                                         | \$        | 550,000           |
| <b>Total Public Works</b>                                                                                                                                                                                                                                                                                                                                          | <b>\$</b> | <b>10,844,515</b> |
| <b>Community Services</b>                                                                                                                                                                                                                                                                                                                                          |           |                   |
| Salaries                                                                                                                                                                                                                                                                                                                                                           | \$        | 1,653,225         |
| Expenses                                                                                                                                                                                                                                                                                                                                                           | \$        | 558,498           |
| <b>Total Community Services</b>                                                                                                                                                                                                                                                                                                                                    | <b>\$</b> | <b>2,211,723</b>  |
| <b>Board of Health</b>                                                                                                                                                                                                                                                                                                                                             |           |                   |
| Salaries                                                                                                                                                                                                                                                                                                                                                           | \$        | 633,099           |
| Expenses                                                                                                                                                                                                                                                                                                                                                           | \$        | 79,850            |
| <b>Total Board of Health</b>                                                                                                                                                                                                                                                                                                                                       | <b>\$</b> | <b>712,949</b>    |
| <b>Select Board</b>                                                                                                                                                                                                                                                                                                                                                |           |                   |
| Salaries                                                                                                                                                                                                                                                                                                                                                           | \$        | 1,256,845         |
| Expenses                                                                                                                                                                                                                                                                                                                                                           | \$        | 473,350           |
| <b>Total Select Board</b>                                                                                                                                                                                                                                                                                                                                          | <b>\$</b> | <b>1,730,195</b>  |
| <b>Personnel Board</b>                                                                                                                                                                                                                                                                                                                                             |           |                   |
| Expenses                                                                                                                                                                                                                                                                                                                                                           | \$        | 1,000             |
| <b>Total Personnel Board</b>                                                                                                                                                                                                                                                                                                                                       | <b>\$</b> | <b>1,000</b>      |
| <b>Town Report</b>                                                                                                                                                                                                                                                                                                                                                 |           |                   |
| Expenses                                                                                                                                                                                                                                                                                                                                                           | \$        | 4,100             |
| <b>Total Town Report</b>                                                                                                                                                                                                                                                                                                                                           | <b>\$</b> | <b>4,100</b>      |
| <b>Legal</b>                                                                                                                                                                                                                                                                                                                                                       |           |                   |
| Expenses                                                                                                                                                                                                                                                                                                                                                           | \$        | 675,000           |
| <b>Total Legal</b>                                                                                                                                                                                                                                                                                                                                                 | <b>\$</b> | <b>675,000</b>    |
| <b>Finance</b>                                                                                                                                                                                                                                                                                                                                                     |           |                   |
| Salaries                                                                                                                                                                                                                                                                                                                                                           | \$        | 1,471,106         |
| Expenses                                                                                                                                                                                                                                                                                                                                                           | \$        | 416,740           |
| <b>Total Finance</b>                                                                                                                                                                                                                                                                                                                                               | <b>\$</b> | <b>1,887,846</b>  |

|                                                                              |           |                   |
|------------------------------------------------------------------------------|-----------|-------------------|
| <b>Information Technology</b>                                                |           |                   |
| Salaries                                                                     | \$        | 408,668           |
| Expenses                                                                     | \$        | 1,609,930         |
| <b>Total Information Technology</b>                                          | <b>\$</b> | <b>2,018,598</b>  |
| <b>Town Clerk</b>                                                            |           |                   |
| Salaries                                                                     | \$        | 373,343           |
| Expenses                                                                     | \$        | 62,000            |
| <b>Total Town Clerk</b>                                                      | <b>\$</b> | <b>435,343</b>    |
| <b>Board of Registrars</b>                                                   |           |                   |
| Salaries                                                                     | \$        | 73,850            |
| Expenses                                                                     | \$        | 87,000            |
| <b>Total Board of Registrars</b>                                             | <b>\$</b> | <b>160,850</b>    |
| <b>Weights &amp; Measurers</b>                                               |           |                   |
| Salaries                                                                     | \$        | 32,908            |
| Expenses                                                                     | \$        | 990               |
| <b>Total Weights &amp; Measurers</b>                                         | <b>\$</b> | <b>33,898</b>     |
| <b>Community Development</b>                                                 |           |                   |
| Salaries                                                                     | \$        | 1,076,670         |
| Expenses                                                                     | \$        | 86,160            |
| <b>Total Community Development</b>                                           | <b>\$</b> | <b>1,162,830</b>  |
| <b>Committees &amp; Commissions</b>                                          |           |                   |
| Expenses                                                                     | \$        | 37,550            |
| <b>Total Committees &amp; Commissions</b>                                    | <b>\$</b> | <b>37,550</b>     |
| <b>Affordable Housing Trust</b>                                              |           |                   |
| Expenses                                                                     | \$        | 80,000            |
| <b>Total Affordable Housing Trust</b>                                        | <b>\$</b> | <b>80,000</b>     |
| <b>Total Budget Amount for Motion C</b>                                      | <b>\$</b> | <b>21,996,397</b> |
| <b>And that the above \$21,996,397 be raised from the following sources:</b> |           |                   |
| Tax Levy for Fiscal Year 2024                                                | \$        | 20,496,397        |
| ARPA Revenue Replacement                                                     | \$        | 1,500,000         |

~~ END OF MOTION C ~~

## **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION C**

### **Public Works**

#### **DPW budget overview by Bill Spratt**

In his overview, Mr. Bill Spratt explained that the biggest part of the budget is the salaries and that they have been CBA-driven. Energy is also a big driver of the proposed budget. Energy supply costs have doubled, but DPW has worked hard to use more sustainable energy in the department and be strategic with energy purchasing. Another driver in the budget is the cost of maintenance and repair. Supply chain costs have risen dramatically. Additionally, changing regulations at the state-level also impact the budget. DPW has to react when new regulations are changed or new ones added. This is non-negotiable.

#### **Municipal Energy**

- A question was asked about why the line item for heating and cooling did not change. Mr. Spratt explained that the previous amount in FY23 was inflated.
- A member asked about what DPW was doing to keep/attract labor. Mr. Spratt stated that there is a labor shortage and keeping employees is challenging - especially with higher/competitive wages in other industries. A lot of the new employees are looking at hourly rates and not necessarily the pensions. The turnover is unsustainable. To stay competitive, DPW now supports commercial drivers license training for employees and the department is looking into an apprenticeship program with Keefe Tech.
- A member asked if bonuses and merit performance benefits have been taken out of the budget. Mr. Spratt explained that they are not gone, but renamed in other part of the budget. All pay is established through the CBA. A follow up question asked if the CBA are “in a good place” and Mr. Spratt responded that one of the bid changes was with the pay steps. They were changed to bump up the lower wages.

#### **Engineering**

Mr. Spratt reiterated that this section is salary driven and the increase reflects a new safety coordinator that will support DPW and Facilities. They will assist with safety trainings, help with workers’ compensation and make sure that safety is put first.

- A member asked if an in-house safety coordinator is cheaper than outside training. Mr. Spratt stressed the importance of this position for improved in-house training.
- A question was asked if the “storm water master plan” under expenses was on a cycle. Mr. Spratt explained that when one plan ends, a new one begins.

#### **Administration**

Mr. Spratt said that most of this section is salary driven and noted the title change from the director position to “executive director.” He also noted that there were no changes to the expenses as they were comfortable with current funding.

### **Equipment Maintenance**

Mr. Spratt explained that this section of the budget is CBA driven and that the expense increases are driven by supply chain costs. These rising costs will inform future purchases and the department is making an effort to standardize the fleet. Keeping vehicles for longer periods means that more money is spent on repairs and maintenance.

- A member asked if an asset manager could help here. Mr. Spratt answered that it would. Currently, they do not have an asset/repair tracking system. This would really help with efficiently assigning labor too. Another member asked if the department will prioritize asset management moving forward. Mr. Spratt noted that they would use some of the funds to find an asset/repair tracking system in 18-24 months.

### **Land, Facilities and Natural Resources**

Mr. Spratt said this section of the budget was driven by tree and mowing services. With Kennedy Middle School and Fire Station 4 coming online, these services are increasing. High O/T budgeted due to looking at historical data and CBA increases. It is also due to labor shortage.

### **Highway and Sanitation**

Mr. Spratt explained that the salaries are again CBA driven here. They reviewed the historical data of the expenses and arrived at these numbers. Bush grinding has increased due to contract fees going up.

### **Health and Community Services (CSC) and Council on Aging (COA)**

The biggest challenge for their departments in 2023 has been recruiting, hiring & retaining part-time and full-time staff.

The department has a Request for Proposals is outstanding for a study to identify levels of service that can be improved and identify unmet needs of residents.

There has been a reorganization under the umbrella of “community services” in 2023. The changes have been the inclusion of the Recreation & Parks and Sassamon Trace organizations under the overall leadership of the Director of Community Services. These departments still function as in prior years with existing organizations. What the change has done is allow a central focus for use of resources and improved delivery of services.

There are four open positions at CSC and COA budgeted. Most are part-time positions. There is also a full-time volunteer manager position open.

The COA is on track to surpass their pre-pandemic delivery of service units. This shows the numbers of programs and services brought to the community. The latest census information (2020) shows Natick elders have increased by approximately 2000. The increase in growth of the elder community is continuing. The Meaningful Connections Memory Café will open in March of 2023. This is a new initiative of the COA.

The rental program for the CSC returned in 2023. Rental rates are set according to the space used. Fees are determined by groups -Natick non-profit/residents; non-Natick/business rates. The rental income and expenses are accounted for in the Rental Revolving Fund.

The COA continues to use the hybrid model for service delivery and will continue use in 2024. This model allows services to be delivered at the CSC, via zoom and at community locations throughout the region. This model allows them to reach more people.

The adult education programs on in evenings and on weekends continue. They are self-sustaining and overseen by the COA.

The COA has three grant positions. These positions staff the CSC's front desk.

The COA strategic Plan has been proceeding as expected. Reporting to the COA Board occurs monthly concerning progress on goals and timelines. One of the goals – volunteering has been paused until this staff position is filled.

The Citizens Leadership Academy will not occur in 2023. It is budgeted for 2024.

- The increase in Administration Management Salaries of approximately 12% represents a market adjustment to the Director's salary.
- The CSC Administration increase of approximately 50% for Facility Repairs and Replacement reflects the aging of the building and emphasis on maintenance. Cost have also increased.
- The CSC Administration Equipment Servicing is up by approximately 150%. The increase is for Office Furniture replacement and repairs. There are also dollars budgeted to repair and replace community garden beds and repair and maintain gym equipment.
- The CSC Administration Training and education increased by approximately 50%. The increase is for professional development of three staff members.
- The CSC Administration increases in Office Supplies and Computer Supplies reflects market increases.
- The CSC Administration and COA decrease of Postage costs by approximately 22% and 26% respectively reflects use of electronic communication for town wide publications.
- The COA increase of approximately 39% in Dues and Memberships is due to anticipated increased costs for trade associations, membership dues and program subscriptions.

### **Community Organic Farm**

The reconstruction of the barn has been taken over by the non-profit arm of the partnership and will be fully funded by grants, community support, and donations. Reconstruction began February 13, 2023. They expect completion in the Fall of 2023.

The town funds three positions (pay and benefits) for the Executive Director, Assistant Director, and Assistant Director of Operations.

The farm has two programs for teens. The first is the year-round apprentice program where they work and learn throughout the academic year and summer. The second is the Teen Work Program for 10 weeks during the Summer. The plan is to continue the programs in perpetuity.

In partnership with the Water Department, the farm goats spent two weeks ‘goatscaping’. This is grazing eating poison ivy and invasive plants. They reach hard to mow and clear places. Transportation and care is completely done by farm staff. The plan is to continue and, where safe to perform, expand program.

The POP Up Market program will continue. The farm is also working with Council on Aging to deliver Senior Shares for 16 weeks.

The farm has seen increases in the before and after school programs as Covid eased. 61% of the enrollees are from Natick.

Weekend visitor numbers to the farm continue to grow (sustaining a 25% increase). The weekday numbers have dropped as more organizations open back up for visitors. The other programs have dropped reservation requirements making visits easier.

The FY24B versus FY23B is flat.

### **Veterans’ Services**

A second Smart Recovery Group was introduced. This program is the world’s largest community of mutual support group meetings. It uses science and self-empowerment to help people overcome addictions and harmful behavior.

The recent passage of the PACT Act that expands VA health care and benefits for veterans exposed to burn pits, Agent Orange, and toxic substances is a new service offered. The impact on the department is being offset by the decline in assistance requirements of new veterans.

The VA Accessibility Program that the office has implemented to assist veterans access VA computer systems to track and expedite VA claims is still being offered.

- Travel Expenses are decreasing by 5.6K or 24% due to historical data.
- Veterans cash allowances are decreasing by 7K or 7% dues to number of veterans and family enrolled.
- Veterans All Other Expenses are increasing by 8K or 71% due to the addition of the second Smart Recovery Group.

### **Parks and Recreation**

- Travis Farley is the new Director of the CS & Director of Parks and Recreation. Travis previously served as Superintendent of Norwood’s Recreation Department. Previous to Norwood he was Assistant Superintendent Recreation and Parks for Marblehead. He has also held

management positions at several area colleges. He is a graduate of Springfield College. He has held leadership positions in the Massachusetts Recreation & Parks Association.

- The Cole Center is not fully accessible. The building continues to deteriorate. It is not full ADA compliant. They may and probably will need to relocate many activities in 2023 and 2024. The CSC is a possible destination. Discussions are occurring.
- Playground maintenance is still an area of importance and emphasis.
- The Saturday morning basketball program at the Rec Center was transitioned over to the Natick Travel Basketball. This aligned basketball programs under one organization.
- Programs have had participation rise close to pre-pandemic levels.
- Natick Days is still occurring in partnership with the Natick Center Associates.
- The Woodland Trail Camp is still fee based. There is assistance available for fee payment to Natick residents. Fees have increased due to rising costs of busses, supplies, and minimum wages. The Natick Service Council reviews and approves financial assistance.
- The beach programs are continuing. Pricing is being determined for the Summer 2023. Non-residents cannot purchase passes but can purchase day passes at double the rate for Natick residents. There are challenges to operating the beach due to lifeguard shortages. They are trying to be creative in recruitment and pay.
- The Teen Center has surpassed pre-pandemic participation. They see approximately 40 visitors per day. Donations for operations are important. NETEEGA Club of Natick is a major donor to operations. Revolving Funds and operating funds keep the center functioning.
- Reservations for the building and field permits have increased. Fees charged cover the costs for permitting and rental service costs.
- There is a Field and park Master Plan. Part of this plan identifies targeted replacement year for every playground in Natick. They consider the usage and life expectancy of fields. There are approximately 20 playgrounds in the community.
- Funds from the new Natick Conservation Preservation Act (CPA) could be a funding option for park improvements.
- Salaries Management increased approximately 5K or 5%. This was due to the hiring of the new Director.
- Salaries Operational are up approximately 6K or 5%. This was due to increased part-time hours for a person and the new CBA clerical increase.
- Telephone costs are up approximately 7K or 88%. This is due to IT/WIFI upgrades at the center and Camp Arrowhead. Additional phones were added for program staff to ensure communication and support. Inflation is also a factor.

### **Board of Health**

There are 10 positions in the BOH. One position (Sanitarian) is vacant. The Sanitarian is tough to fill because of pay. Skilled people can obtain more dollars in the market.

There is also a need for a per diem nurse. This a new initiative for 2024 to assist staff nurse with vaccinations. The per diem nurse position is tough to fill because of availability of skilled people.

Inspections are a large part of the workload of the department. Inspections concern buildings, soil samples for water tables, environmental health compliance reviews, food service sanitation inspection, and responding to complaints received from residents for code enforcement. Pre-pandemic approximately 5600 inspections were performed in the year. The expectation for 2024 is approximately 5000 will occur.

Staff use software during inspections - (FoodCode Pro and HousingCode Pro. The software saves report generation time. Results are easy to upload and transfer to PC based technology. The software companies provide support and training. The Mass Department of Public Health recently revised Minimum Standards for Human Habitation Regulations. These changes may create additional responses from BOH staff to enforce compliance.

The town has adopted and implemented new regulations concerning biological research facilities. The BOH is currently determining permit fees and processes. The facilities being inspected pay the costs to retain experts to perform the inspections.

The grant to fund software used for food protection program and housing inspections is due to end at the end of FY 24. Talks are underway to obtain a grant to support the software. If no grant is forthcoming, the cost to operate the software would require department additional funds of approximately \$16,000.

The CDC grant used to pay for the salary and benefits the 40-hour full time Associate Project Coordinator for the Natick Substance Abuse and Outreach Program (Natick 180) and a 15 hour part time Prevention and Outreach Administrator, totaling 1.4 FTE's. Is set to expire in September 2023. It cannot be renewed by the provider. The town will be obtaining Opioid Settlement Funds. They plan to use those funds to pay for these positions.

There has been cross training of staff to be able to assist with inspections. There has been inclusion of staff for performing assistance with soil tests and septic system installations. Cross training is continuing.

- The Salaries Management 2024B shows a decrease of approx. - \$18K or 15%. This the impact of leadership change.
- Part time Operational 2024B is down approx. - \$.8K or 28%. This reduction is due to the hiring of a new Administrative Assistant at a lower starting salary.
- Part time Tech and Professional 2024B is down approx. -\$20K or 73%. To assist in the transition of Management in FY23, additional funds were added to provide consultation payments toward previous Director.
- The Purchased Services increase of \$.5K or 100%. This was due to costs to clean and replace inspection staff clothing that may become damaged or contaminated.

### **Select Board**

- Salaries technical /Professional increased approximately \$54K. This increase reflects the full year salary of the Communications Director (FY 2023 partial salary).
- Natick Center Revitalization increased \$10K. This increase is to meet increased activity for 2024.

### **Legal Services**

- There are no collective bargaining agreements unsettled. No agreements will expire in fiscal year 2024.
- There are pending legal actions with the Town. None is significant enough to impact well-being of town finances.

### **Finance**

#### **Comptroller**

- The approximately 24% (\$54K) increase in Salaries Operational Staff is the result of the hiring of a full-time position in the payroll operations.
- The reasons for the approximately 100% (\$.5K) increase in Travel is the result of the ability to attend training off site in person.
- The reasons for the approximately 55% (\$5.5K) increase in Training and Education is to meet the objectives of the training initiative.
- The reasons for the approximately 13% (\$1K) increase in Office Supplies is due to inflation.

#### **Administration**

- The reasons for the approximately 100% (\$.4K) increase in Dues and Subscriptions is to align with historical trends.
- The Training and Education 2024B increased by 132% (\$.8K). This is to meet the objectives of the training initiative.

#### **Collector/Treasurer**

- The Training and Education increase of approximately 72% (\$5) is to meet the objectives of the training initiative.

#### **Assessors**

- The Training and Education increase of approximately 106% (\$3.7) is to meet the objectives of the training initiative.

## **Information Technology**

- Mr. Bob LeFrancois described his budget dollars as being 80 to 90 percent consisting of support spending for systems, including spending for internet, switches, network security, anti-virus technology, etc.
- The anti-virus/malware contract will be going out to bid for a new four-year contract.
- The population for his department is 4 individuals. He has one position open (Deputy IT Director) and is working to fill it. It is in the 2024B.
- Two big cloud migration projects for the ERP system and phone system are the 2023 focus. The ERP System upgrade was completed in March.
- The initial planning and configuration phase of the phone system cloud migration will start in a couple of weeks with deployment scheduled over the summer. Due to the extent of the phone upgrade project, the deployment schedule will be determined after we meet with the Facilities and School IT Department to work in tandem with their summer schedules.
- These upgrades won't reduce hardware costs since most of our storage usage is from our file servers but it will reduce the number of physical phone switches and related equipment that we have to support and with the ERP system in the cloud it'll substantially reduce the number of remote VPN users we have to support.
- Bob stated Cyber Training for all Town staff took place over the last calendar year and was part of a state Cyber Training grant. This calendar year, we're going to use a vendor called Wizer to have more control over the cyber training campaigns, phishing testing and reporting.
- Amazon Web Services is still hosting our two large systems (ERP Vendor and OpenGov).
- The significant increases in Help Desk tickets for the last half of calendar year 2022 were due to the upgrade of the ERP System. The assistance was related to training for the upgrades.
- Web Development costs for 2024 are budgeted in the Communication Directors Budget contained in the Town Administration Budget.

## **Town Clerk**

- Diane Packer, Town Clerk, noted that the marriage licensing process has been modernized. They are now using fillable PDF's and storing them on the network, this makes them much easier to change if there are any errors. However, it does not save any significant time or money as they used to type them on a typewriter.
- This is the same dog licensing system that they have been using for several years. More residents are using the on-line option to renew and it saves time but costs more money because they have to mail them out.
- The election workload for this office has increased extraordinarily over the past 5-8 years.

- The addition of the Assistant Town Clerk position was to aid in succession planning and related to increased workload. The Assistant Town Clerk was promoted from within but their replacement was a new hire.
- The Document Preservation Project - digitizing records estimated to spend \$750,000 to \$1,000,000 has spent all available approved funds. There will be a request for more funding in the fall. This project should be done in conjunction with other departments as they all have documents which need to be preserved. This on-going project is included in the Capital Plan.

### **Board of Registrars**

- The large increase in vote by mail and the addition of special elections has put an increased burden on the department. They have been able to handle the challenge. The department is fully staffed.
- The operational salaries in this department are for election workers. The cost in this area has increased as minimum wage has gone up as well as the increased need for help fulfilling the vote by mail process as well as early voting.
- Food for Election workers increased to \$6,000 due to inflation and experience with the YTD 2023 actual costs (approx. \$3,368).
- The department will be spending Capital dollars for iPads and Voting machines. The iPads were purchased in phases. The last 5 were purchased in FY 2023. New voting machines were part of the approved FY 2023 Capital Budget. The voting machines will be purchased in the next 6-8 months.
- In FY 2024 there will be two elections, the Presidential Primary and the Annual Town Election.

### **Community and Economic Development**

Amanda Loomis, Director of the department gave an overview of her department.

- The Community Preservation Act (CPA) will require a full time development/Review Planner focusing on implementation of the CPA act. The staffing will expand existing planning efforts in CED. CED supports many facets of planning (transportation, housing, economic development, natural resources, etc.), coupled with volunteer boards and committees. This position is requested to be funded for half of FY24 (January 1, 2024) and then to become fully funded in FY25 (July 1, 2024).
- Finding and hiring qualified people.
- The department is improving communications with the community by working with the Public Information Officer (new hire). This included holding community meetings.
- They are making improvements to make the department permitting a “one stop” process for applicants.
- In May of 2022, CED launched the new online permitting system. The new system allows all CED permits to be applied online, including permits for building, plumbing, electrical, gas,

Planning Board, Conservation, and Zoning Board of Appeals (ZBA). The new system launch increased communication amongst different entities (Town staff, decision-makers, applicants, and the public). With the launch of the new online permitting system, abutters can now review applications online rather than coming into the Town Building to review applications and plans

- A Bi-annual CED Report will be published. The Report will provide an update on permitting stats, grants and programming, Town Meetings, Natick 2030+ implementation status, and various planning endeavors. Such a Report will be electronic and available on the CED webpage.
- A data base is being developed to detail vacant buildings and land and the potential for reuse
- For FY24, focus areas will be:
  - Implementation of Natick 2030+
  - Implementation and management of CPA
  - Compliance with MBTA Communities
  - Production of the Bi-annual CED Report
  - Recodification of existing land use regulations, which include the Natick Zoning Bylaw, the Natick Subdivision Rules and Regulations, and continually updating other essential rules, regulations, and reports
  - Collaboration with other municipal departments for improved processes and communications
  - Expansion and maintenance of the ViewPoint-OpenGov online permitting system
  - Management of short and long-range planning projects, which include West Natick/Route 135 and the Golden Triangle.
- For FY24, there are four areas of budget increases for CED:
  - Community Preservation Act (CPA) Planner - with the recent adoption of the Community Preservation Act (CPA), a new full-time planner position will be required.
  - Travel - In FY24, staff members will be returning to in-person conferences and training, which were held virtually over the past several years.
  - Telephone - In 2022, CED implemented the online permitting (ViewPoint-OpenGov) system, including application submittal and inspection reporting. The monthly cost for the wireless connection, will now be part of the general operating budget. CED has ten wireless tablets distributed to the inspectors (building, electrical, gas, and plumbing) and planners associated with field inspections/conformance reviews which are used in the field.
  - Office Supplies Neither FY22 nor FY23 requested an increase in funding for the Office Supply line. These items, like non-office items, have increased in price since pre-pandemic costs.

### **Affordable Housing Trust**

The Affordable Housing Trust budget is level-funded.

## FINANCE COMMITTEE RECOMMENDATION – MOTION D

|                                                                     |                  |                         |
|---------------------------------------------------------------------|------------------|-------------------------|
| <b>MOTION D</b><br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                     | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                     | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION D (Requires a Majority Vote)

| <b>Motions for Article 7, Motion D: Shared Expenses</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Motion D: Requires Majority Vote</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                      |
| Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of funding the accounts and funds shown below, said funds are to be expended under the direction of the following officials or committees: Employee Fringe Benefits; Property and Liability Insurance; Contributory Retirement System Pension Liability; Non Contributory Retirement Pension Liability; Debt Service; Reserve Fund - Finance Committee; Facilities Management - Town Administrator & School Superintendent. |                      |
| <b>Employee Fringe</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                      |
| Other Personnel Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$ 19,008,314        |
| Merit / Performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$ 150,000           |
| <b>Total Employee Fringe</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>\$ 19,158,314</b> |
| <b>Property &amp; Liability Insurance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |
| Expense                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$ 1,103,212         |
| <b>Total Property &amp; Liability Insurance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>\$ 1,103,212</b>  |
| <b>Contributory Retirement</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                      |
| Pension Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$ 13,107,143        |
| <b>Total Contributory Retirement</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>\$ 13,107,143</b> |
| <b>Non-Contributory Retirement</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                      |
| Pensions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$ 20,500            |
| <b>Total Non-Contributory Retirement</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>\$ 20,500</b>     |
| <b>Debt Service</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                      |
| Expenses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$ 16,103,110        |
| <b>Total Debt Service</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>\$ 16,103,110</b> |
| <b>Reserve Fund - Finance Committee</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                      |
| Expenses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$ 250,000           |
| <b>Total Reserve Fund</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>\$ 250,000</b>    |
| <b>Facilities Management</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                      |
| Salaries                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$ 3,516,394         |
| Expenses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$ 992,800           |
| <b>Total Facilities Management</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>\$ 4,509,194</b>  |
| <b>Total Budget Amount for Motion D</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>\$ 54,251,473</b> |
| And that the above <u>\$54,251,473</u> be raised from the following sources:                                                                                                                                                                                                                                                                                                                                                                                                                                           |                      |
| Tax Levy for Fiscal Year 2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | \$ 12,580,026        |
| State Aid                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 16,325,961        |
| Local Receipts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$ 16,184,635        |
| Free Cash                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ 4,464,900         |
| Overlay Surplus                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$ 1,000,000         |
| Golf Course Indirects                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | \$ 77,756            |
| Water Sewer Indirects                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | \$ 3,443,771         |
| Other Available Funds                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | \$ 174,424           |

## **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION D**

### Employee Fringe

- The increase in Medicare Budget is approximately 11%. The increase is mainly due to the salary increase due to CBA contracts and new positions. Comparing to FY2023 Budget, six more employees from general government and twelve more employees from school are added to payroll.
- The public safety medical budget is based on actuals over the past several years and the number of current personnel, resulting in a decrease in the line.
- Long-term disability costs are increasing by 22% based on actuals over the past several years.
- Workers Compensation is decreasing by approx. 25%. This budgeted amount is based on actuals from the past several years and number of personnel currently out under worker's compensation.
- We self-insure for Unemployment Insurance. Unemployment Insurance Budget is based on both the claims history and the forecast of the job market.

### Insurance

- Insurance and liability costs are based on estimates arrived at by working with insurance providers and will be adjusted after going out for bids in the summer of 2023.

### Retirement

- Natick's contributory retirement returns are on a par with the better-performing municipal funds in the country, according to the budget book.
- The Contributory Retirement assessment amount increased by 5.97% for FY24 over the FY23 assessment. The assessment is set by the state.
- The Retirement Buyout 2024B is an estimated based on the past several years. Retirement Buyout Reserve is level-funded for FY 2024.
- Contributory retirement and non-contributory retirement amounts are decreasing as people who worked for the town before the retirement system are passing away.

### Reserve

- Reserve Fund is Level-funded for FY 2024. Cost are \$0 for YTD.

### Facilities

- In 2023, Facilities and DPW reorganized management under Mr. Bill Spratt, who is now the Executive Director of the DPW and Facilities. Reporting to him will be a Director of DPW and a Director of Facilities. Both these positions are currently open.

- The new organizational structure allows for a coordinated approach to the talents available to effectively provide services. The three-year plan for the integration of these services is ahead of schedule.
- There are 53 employees in the facilities organization budgeted for 2024. There are four openings to be filled.
- The department is out of crisis maintenance but not yet in full preventive maintenance mode. More resources are needed to be in full preventive maintenance mode.
- The department's use of APPA (Association of Physical Plant Administration) standards still indicates the department is in need of skilled and unskilled additions. The department is no longer operating in a firefighting mode. They have been able to complete approximately \$2.5M million of deferred maintenance (roofs, ADA ramps, carpeting, etc.).
- Deferred maintenance still needs to be performed. There are more roofs and boilers to be repaired/replaced, there is design and planning continuing for these items. In some instances, vendors will be used for design and planning.
- Facilities Dude – the management tool for facilities maintenance and tracking - is resulting in better scheduling of resources, tracking work, and reducing times spent cleaning. There is more to be done to achieve full optimization of the tool. The department is working towards achieving full optimization.
- The union contract contained sufficient pay rates to assist in attracting people. The department is facing tough competition and having issues attracting people. The contract allows for part-time staff to be used in smaller buildings. This provides flexibility for full time staff usage.
- Capital for the Facilities Department is adequate to keep buildings and people safe and within code.

### Facilities Expenses

- Salaries Operational Overtime spending is down approx. 32% or \$93K. The department is appropriately managing overtime. Additional staffing has allowed us to manage staff days off without using overtime. Sanitizing and extra cleaning are less now that Covid cases are down.
- Elevator Repair costs are up 18% in 2024B, based on new code changes from the state. There are 21 elevators in Town in almost all buildings with multiple floors with the exception of Johnson School and Elliot School.
- Salaries Supervisory is down approximately 38K or 10.5%. We were informed the department eliminated one full time position. The position was moved to Salaries Operational Staff and combined with Facilities Manager position.
- Salaries Operational Staff are up 136K or 5.9%. This includes a 2% increase for union employees, hiring a part time electrician (who currently is vendor sourced), and a step increase for replacing a trade position (employee retirement).
- Salaries Technical/Professional are up 3K approximately 5.3% due to anticipated salary increases.

- Facilities Repairs and Maintenance are up approximately 150K or 38.2%. In 2022 there was an Omnibus Budget adjustment of 150K. The comparison did not reflect the change. The increase was made to ensure proper funds were available for existing and new facilities coming online.
- Contractual Cleaner Costs are up 30K or 15% due to a new vendor contract. It is based on 2023 needs and market.

## FINANCE COMMITTEE RECOMMENDATION – MOTION E1

|                                                                      |                  |                         |
|----------------------------------------------------------------------|------------------|-------------------------|
| <b>MOTION E1</b><br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                      | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                      | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION E1 (Requires a Majority Vote)

| <b>Motions for Article 7, Motion E1: Water &amp; Sewer Enterprise</b>                                                                                                                                                                                 |           |                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------------|
| <b>Motion E1: Requires Majority Vote</b>                                                                                                                                                                                                              |           |                   |
| Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the departments shown under the associated categories, said funds are to be expended under the direction of each Department Head or Director: |           |                   |
| <b>Water &amp; Sanitary Sewer Operations</b>                                                                                                                                                                                                          |           |                   |
| Salaries                                                                                                                                                                                                                                              | \$        | 2,523,013         |
| Expense                                                                                                                                                                                                                                               | \$        | 8,979,575         |
| <b>Total Water &amp; Sanitary Sewer Operations</b>                                                                                                                                                                                                    | <b>\$</b> | <b>11,502,588</b> |
| <b>Utility Billing</b>                                                                                                                                                                                                                                |           |                   |
| Salaries                                                                                                                                                                                                                                              | \$        | 109,008           |
| Expense                                                                                                                                                                                                                                               | \$        | 74,000            |
| <b>Total Utility Billing</b>                                                                                                                                                                                                                          | <b>\$</b> | <b>183,008</b>    |
| <b>Fringe Benefits</b>                                                                                                                                                                                                                                |           |                   |
| Expenses                                                                                                                                                                                                                                              | \$        | 989,494           |
| <b>Total Fringe Benefits</b>                                                                                                                                                                                                                          | <b>\$</b> | <b>989,494</b>    |
| <b>Water &amp; Sewer Debt Service</b>                                                                                                                                                                                                                 |           |                   |
| Principal                                                                                                                                                                                                                                             | \$        | 2,352,128         |
| Interest                                                                                                                                                                                                                                              | \$        | 1,138,642         |
| <b>Total Debt Service</b>                                                                                                                                                                                                                             | <b>\$</b> | <b>3,490,770</b>  |
| <b>Water &amp; Sewer Reserve Fund</b>                                                                                                                                                                                                                 |           |                   |
| Expenses                                                                                                                                                                                                                                              | \$        | 200,000           |
| <b>Total Reserve Fund</b>                                                                                                                                                                                                                             | <b>\$</b> | <b>200,000</b>    |
| <b>Total Budget Amount for Motion E1</b>                                                                                                                                                                                                              | <b>\$</b> | <b>16,365,860</b> |
| And that the above <u>\$16,365,860</u> be raised from the following sources:                                                                                                                                                                          |           |                   |
| Water Sewer User Fees                                                                                                                                                                                                                                 | \$        | 16,365,860        |

## **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION E1**

The Finance Committee heard the Water & Sewer Enterprise fund budget on March 9, 2023, and again on April 11, 2023.

On April 11, Mr. Townsend stated that the assessment from the MWRA came in at \$166,690 less than was originally estimated.

Budget highlights:

- Water and Sewer is not experiencing the same labor shortage as DPW.
- The EPA will be putting out new regulations soon - especially around PFAS - the department will have to make some adjustments to conform.
- Salaries are mostly CBA-driven
- The MWRA assessment initially budgeted is based on anticipated usage numbers. It typically increases by 4%.
- With respect to expenses, licenses are needed to keep up with requirements and the increase in service connection has to do with supply chain issues.
- An update to the water meter reading system - which will now be done by radio communication - impacted the software servicing budget
- The cost of renewing PFAS filtration medium has been moved into the operating budget from the capital budget as the frequency of needed replacement has become clear the cycles are too short to justify capital financing.
- The electricity budget line did not go up as historically it has been over-budgeted.

## FINANCE COMMITTEE RECOMMENDATION – MOTION E2

|                                                                  |                  |                         |
|------------------------------------------------------------------|------------------|-------------------------|
| MOTION E2<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                  | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                  | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION E2 (Requires a Majority Vote)

| <b>Motions for Article 7, Motion E2: Water &amp; Sewer Indirect Costs</b>                                                 |              |                   |
|---------------------------------------------------------------------------------------------------------------------------|--------------|-------------------|
| <b>Motion E2: Requires Majority Vote</b>                                                                                  |              |                   |
| <b>Move that the Town vote to APPROVE the following Water Sewer indirect cost allocations raised in the General Fund:</b> |              |                   |
| <b>Department Allocations</b>                                                                                             | <b>Total</b> |                   |
| Public Works Administration                                                                                               | \$           | 247,710           |
| Engineering                                                                                                               | \$           | 443,720           |
| Equipment Maintenance                                                                                                     | \$           | 674,474           |
| Highway, Sanitation, Recycling                                                                                            | \$           | 287,488           |
| Facilities                                                                                                                | \$           | 114,895           |
| Public Safety                                                                                                             | \$           | 196,950           |
| Finance                                                                                                                   | \$           | 273,016           |
| Town Administration                                                                                                       | \$           | 272,822           |
| Community Development                                                                                                     | \$           | 130,498           |
| Information Technology                                                                                                    | \$           | 210,985           |
| Procurement                                                                                                               | \$           | 24,133            |
| Human Resources                                                                                                           | \$           | 6,091             |
| Legal Services                                                                                                            | \$           | 101,250           |
| Property & Liability Insurance                                                                                            | \$           | 413,705           |
| Utilities                                                                                                                 | \$           | 56,535            |
| Vehicle Fuel                                                                                                              | \$           | 173,565           |
| <b>Sub-Total</b>                                                                                                          | <b>\$</b>    | <b>3,627,837</b>  |
| <b>Water Sewer Staff Performing General Fund Functions</b>                                                                |              |                   |
| GIS Services                                                                                                              |              | -\$52,593         |
| W/S Admin. Asst. - DPW                                                                                                    |              | -\$29,101         |
| W/S Admin. Asst. - Collector                                                                                              |              | -\$60,746         |
| Snow and Removal                                                                                                          |              | -\$56,626         |
| Software Servicing                                                                                                        |              | \$15,000          |
| <b>Sub-Total</b>                                                                                                          |              | <b>-\$184,066</b> |
| <b>Total Water and Sewer Indirect Costs</b>                                                                               | <b>\$</b>    | <b>3,443,771</b>  |
| <b>And that the sum of \$3,443,771 appropriated in the General Fund be raised from the following source:</b>              |              |                   |
| Water Sewer User Fees                                                                                                     | \$           | 3,443,771         |

## FINANCE COMMITTEE RECOMMENDATION – MOTION F1

|                                                                      |                  |                         |
|----------------------------------------------------------------------|------------------|-------------------------|
| <b>MOTION F1</b><br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                      | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                      | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION F1 (Requires a Majority Vote)

| <b>Motions for Article 7, Motion F1: Sassamon Golf Enterprise</b>                                                                           |                   |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>Motion F1: Required Majority Vote</b>                                                                                                    |                   |
| <b>Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the Sassmon Trace Operations</b> |                   |
| Salaries                                                                                                                                    | \$ 408,599        |
| Expense                                                                                                                                     | \$ 345,508        |
| <b>Total Sassmon Trace Operations</b>                                                                                                       | <b>\$ 754,107</b> |
| <b>Sassamon Trace Fringe Benefits</b>                                                                                                       |                   |
| Other Personnel Services                                                                                                                    | \$ 56,379         |
| Retirement Assessment                                                                                                                       | \$ 5,337          |
| <b>Total Fringe Benefits</b>                                                                                                                | <b>\$ 61,716</b>  |
| <b>Sassamon Trace Debt Service</b>                                                                                                          |                   |
| Principal                                                                                                                                   | \$ 60,120         |
| Interest                                                                                                                                    | \$ 19,172         |
| <b>Total Debt Service</b>                                                                                                                   | <b>\$ 79,292</b>  |
| <b>Golf Reserve Fund</b>                                                                                                                    |                   |
| Expenses                                                                                                                                    | \$ 20,000         |
| <b>Total Reserve Fund</b>                                                                                                                   | <b>\$ 20,000</b>  |
| <b>Total Budget Amount for Motion F1</b>                                                                                                    | <b>\$ 915,115</b> |
| <b>And that the above <u>\$915,115</u> be raised from the following sources:</b>                                                            |                   |
| Golf User Fees                                                                                                                              | \$ 915,115        |

## FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION F1

Budget highlights for the Sassamon Trace Golf Course Enterprise Fund:

- The golf course is a successful endeavor for the town
- The cost for playing on May 23 is expected to be roughly \$17.78, and \$18.63 for May 24
- There is no increase in staffing, and they are working on sharing work to make better use of the staff

- The course is operating almost at capacity, which has an impact on advertising and promotion
- Repairs are being done to the gate
- There is a labor cost as a percentage of revenue metric being used
- Software maintenance is increasing, by \$1,450 due to the implementation of new league software that saves roughly 100 hours of labor a year
- Electricity for irrigation is increasing by 50% or \$5,000
- Bank credit card fees are going up by 27%, or \$5,000
- Custodial supplies increased by 94%, but it's only \$700
- Costs for chemicals and grass seeds have stabilized due to stronger and more resilient turf and greens
- The order for new golf carts has been delayed
- The debt for the course was paid off in 2023, and there were some capital projects for 24
- 23 capital items are still in the process of being purchased or delivered

## FINANCE COMMITTEE RECOMMENDATION – MOTION F2

|                                                                      |                  |                         |
|----------------------------------------------------------------------|------------------|-------------------------|
| <b>MOTION F2</b><br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                      | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                      | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION F2 (Requires a Majority Vote)

| <b>Motions for Article 7, Motion F2: Sassamon Golf Indirect Costs</b>                                                       |              |               |
|-----------------------------------------------------------------------------------------------------------------------------|--------------|---------------|
| <b>Motion F2: Requires Majority Vote</b>                                                                                    |              |               |
| <b>Move that the Town vote to APPROVE the following Sassamon Golf indirect cost allocations raised in the General Fund:</b> |              |               |
| <b>Department Allocations</b>                                                                                               | <b>Total</b> |               |
| Public Works Administration                                                                                                 | \$           | 1,242         |
| Equipment Maintenance                                                                                                       | \$           | 3,382         |
| Highway, Sanitation, Recycling                                                                                              | \$           | 7,675         |
| Community Services                                                                                                          | \$           | 21,557        |
| Land Facilities and Natural Resources                                                                                       | \$           | 3,238         |
| Public Safety                                                                                                               | \$           | 3,840         |
| Finance                                                                                                                     | \$           | 9,843         |
| Town Administration                                                                                                         | \$           | 3,647         |
| Procurement                                                                                                                 | \$           | 3,665         |
| Human Resources                                                                                                             | \$           | 346           |
| Legal Services                                                                                                              | \$           | 1,688         |
| Property & Liability Insurance                                                                                              | \$           | 11,032        |
| Utilities                                                                                                                   | \$           | 3,846         |
| Vehicle Fuel                                                                                                                | \$           | 2,755         |
| <b>Total Sassamon Trace Indirect Costs</b>                                                                                  | <b>\$</b>    | <b>77,756</b> |
| <b>And that the sum of <u>\$77,756</u> appropriated in the General Fund be raised from the following source:</b>            |              |               |
| Golf User Fees                                                                                                              | \$           | 77,756        |

~~ END OF ARTICLE ~~

**ARTICLE 8**  
**Unpaid Bills**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Natick; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To appropriate funds to pay unpaid bills from prior fiscal years.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>11-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 23, 2023</b>   |

**MOTION** (Requires a 4/5 Vote)

Move that the Town vote to appropriate from Free Cash the sum of \$2,369.64 for the purpose of paying the following unpaid bill from a prior fiscal year FY2022:

| <b>DEPARTMENT</b>     | <b>VENDOR</b>       | <b>DATE</b> | <b>AMOUNT</b>     |
|-----------------------|---------------------|-------------|-------------------|
| Community Development | LOCALiQ New England | 02/28/22    | \$444.08          |
| Community Development | LOCALiQ New England | 03/31/22    | \$556.92          |
| Community Development | LOCALiQ New England | 04/30/22    | \$232.96          |
| Community Development | LOCALiQ New England | 05/31/22    | \$1,135.68        |
| <b>Total</b>          |                     |             | <b>\$2,369.64</b> |

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

Mr. John Townsend, Deputy Town Administrator and Finance Director, stated that normally we do not have unpaid bills. In this case, the vendor did not correctly bill the Community Development Office and

it took until FY 23 instead of FY 22 to get the problem resolved. An appropriation of \$2,369.64 is needed to pay these invoices for the services that were rendered.

Mr. Jamie Errickson, Town Administrator, added that this is the vendor we use for all our public hearing advertisements. They had a change in ownership structure and were going through changes internal to their operation. Other departments also use this vendor, but Community Development was the only department where billing issues spanned two fiscal years.

~~ END OF ARTICLE ~~

**ARTICLE 9**  
**Transfer of Unexpended Bond Proceeds**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town will authorize the transfer of unexpended proceeds from amounts previously borrowed to pay costs of various capital projects, which projects are now complete, and for which such funds are no longer needed, to pay costs of one or more capital projects; or take any other action relative thereto.

**PURPOSE OF THE ARTICLE**

To transfer unexpended proceeds from amounts previously borrowed to pay the costs of various capital projects.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                       |
|--------------------------------------------------|------------------|-----------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>No Action</b>      |
|                                                  | QUANTUM OF VOTE: | <b>11-0-0</b>         |
|                                                  | DATE VOTED:      | <b>March 23, 2023</b> |

**MOTION** (Requires a Majority Vote)

Move No Action on the subject matter of Article 9.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee met on March 23, 2023 to discuss Article 9. At the request of Town Administration, the Finance Committee voted 11-0-0 to recommend No Action on the subject matter of Article 9.

~~ **END OF ARTICLE** ~~

**ARTICLE 10**  
**Rescind Authorized, Unissued Debt**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To rescind authorized but unissued debt of the Town from one or more borrowing appropriations voted by Town Meeting.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                       |
|--------------------------------------------------|------------------|-----------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>No Action</b>      |
|                                                  | QUANTUM OF VOTE: | <b>11-0-0</b>         |
|                                                  | DATE VOTED:      | <b>March 23, 2023</b> |

**MOTION** (Requires a Majority Vote)

Move No Action on the subject matter of Article 10.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee met on March 23, 2023, to discuss Article 10. At the request of Town Administration, the Finance Committee voted 11-0-0 to recommend No Action on the subject matter of Article 10.

~~ **END OF ARTICLE** ~~

**ARTICLE 11**  
**Revolving Funds**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town will vote on the limit on the total amount that may be expended from each revolving fund established pursuant to Chapter 44 section 53E ½ of the General Laws and Town by-law; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

Revolving funds require annual re-authorization by Town Meeting and the statute requires that Town Meeting set the limits on the spending from these revolving funds every year.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>11-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 23, 2023</b>   |

**MOTION (Requires a Majority Vote)**

Move that the Town vote to authorize the following maximum expenditures for FY2023 for the listed revolving funds, established by the Town of Natick Bylaws, Article 41 A pursuant to Chapter 44, §53E ½ of the Massachusetts General Laws, as follows:

Section 4 - DPW Vehicles and Equipment, maximum expenditure \$200,000;

Section 5 - Morse Institute Library Materials Purchase of New Books and Related Materials, maximum expenditure \$85,000;

Section 6 - Morse Institute Library Maintenance and Repair of Library Facilities and Equipment, maximum expenditure \$25,000;

Section 7 - Community-Senior Center Rental, Maintenance and Improvement Projects, maximum expenditure \$75,000;

Section 8 - Flu Clinics, Immunization Programs, Pandemic and Emergency Preparedness, maximum expenditure \$40,000;

Section 9 - Community-Senior Center Programs and Activities, maximum expenditure \$95,000;

Section 10 - Tobacco Control Programs and Enforcement, maximum expenditure \$25,000;

Section 11 - Energy Conservation and Renewable Energy Projects, maximum expenditure \$25,000;

Section 12 - Tax Title Takings or Tax Title Foreclosures, maximum expenditure \$100,000;

Section 13 - Curbside Compost Collection Program, maximum expenditure \$20,000; and

Section 14 - Community Gardens, maximum expenditure \$25,000.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee first met to discuss Article 11 on March 23, 2023 and voted Favorable Action 11-0-0.

Revolving funds require annual re-authorization by Town Meeting. This article has the same spending limit amounts as FY23 with the exception of Section 14 - Community Gardens, which is a revolving fund added at 2021 FATM under Article 15. It was determined that last year's appropriation of \$20,000 was not sufficient and has been increased to \$25,000.

**~~ END OF ARTICLE ~~**

**ARTICLE 12**  
**Stabilization Funds and OPEB**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Stabilization Fund established under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended;

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Operational Stabilization Fund established by vote of the 2011 Spring Annual Town Meeting under Article 4, as authorized by Chapter 40, Section 5B of the General Laws, as amended; To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Capital Stabilization Fund established by vote of the 2010 Fall Annual Town Meeting under Article 2, as authorized by Chapter 40, Section 5B of the General Laws, as amended;

**OPEB**

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for, the Other Post-Employment Benefits Liability Trust Fund established by vote of the 2017 Spring Annual Town Meeting under Article 15, pursuant to the provisions of Chapter 32B, Section 20 of the General Laws as amended by section 15 of Chapter 218 of the Acts of 2016;

or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To supplement the General, Operational/Rainy Day and Capital Stabilization Funds and to appropriate additional funds to the OPEB Trust Fund. The OPEB Trust Fund pays benefits to retirees and was established in 2016.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>9-0-0</b>            |
|                                                  | DATE VOTED:      | <b>April 6, 2023</b>    |

### **MOTION (Requires a Majority Vote)**

Move that the Town vote to appropriate \$4,304,421 from Free Cash, State Aid and Tax Levy for the purpose of supplementing the Town's Stabilization Funds and OPEB Trust fund as follows:

- \$1,307,230 from Free Cash and \$162,281 from State Aid for the purpose of supplementing the General Stabilization Fund established under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended.
- \$1,838,580 from Free Cash and \$246,330 from State Aid for the purpose of supplementing the Operational/Rainy Day Stabilization Fund established under Article 4 of the 2011 Spring Annual Town Meeting as authorized by Chapter 40, Section 5B of the General Laws, as amended.
- \$500,000 from Free Cash for the purpose of supplementing the Capital Stabilization Fund established by the vote of Article 2 of the 2010 Fall Annual Town Meeting, as authorized by chapter 40, Section 5B of the General Laws, as amended.
- \$250,000 from Tax Levy for the purpose of funding the Other Post-Employment Benefits Liability Trust Fund authorized by a vote of the 2017 Spring Annual Town Meeting under Article 15, as authorized by Chapter 32B, Section 20 of the General Laws as amended by Section 15 of Chapter 218 of the Acts of 2016.

| Funding Sources | Operational Stabilization Fund Amount | General Stabilization Fund Amount | Capital Stabilization Fund Amount | OPEB Trust Fund Amount |
|-----------------|---------------------------------------|-----------------------------------|-----------------------------------|------------------------|
| Tax Levy        |                                       |                                   |                                   | \$ 250,000             |
| State Aid       | \$ 246,330                            | \$ 162,281                        |                                   |                        |
| Free Cash       | \$ 1,838,580                          | \$ 1,307,230                      | \$ 500,000                        |                        |
| Total           | \$ 2,084,910                          | \$ 1,469,511                      | \$ 500,000                        | \$ 250,000             |

### **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

Mr. John Townsend presented the overview of the OPEB and Stabilization Funds and reviewed the various funding sources.

#### Questions from the Committee

A Member asked about earning interest on various town funds and deposits, and the presenter explained that the Stabilization Funds were one of the only fund balances that can be invested to earn interest income.

A Member inquired about various FY24 alternative funding sources which would allow for greater balances in interest earning Stabilization Funds. Specifically, whether Town Administration could review the various recovery funds and programs (such as ARPA) as an alternative funding source for some expenses. In reviewing the ARPA funding, the Administration noted that several departments have

identified specific expense reimbursements falling under that program. The use of the recovery funds falls under the direction of the Select Board, which is planning on utilizing them in future period budget funding. The Town has already received its total anticipated ARPA reimbursement and is scheduling how those funds will be applied.

The Member questioned whether it would be better to use ARPA funds which have been specifically matched to an approved use, sooner rather than in future periods. This would have the advantage of freeing up Tax Levy funding, which can be used for a much broader range of expenses. That funding plan would have the additional advantage of freeing up funds which could be moved into interest earning Stabilization Fund accounts – rather non-earning accounts. The Administration reiterated that the ARPA program fell under the control of the Select Board, which favored saving ARPA funding for future use.

There was a suggestion that the future funding could be held in interest earning stabilization accounts and accomplish the same future funding goals, but the Administration stated that changing the appropriation funding sources to use recovery funds more quickly was not going to be in place for Spring 2023 Town Meeting.

**~~ END OF ARTICLE ~~**

**ARTICLE 13**  
**Capital Stabilization Account**  
**(Keefe Regional Technical School District Committee)**

**ARTICLE LANGUAGE**

To see if the Town will vote to authorize the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District Committee to establish a Capital Stabilization Account for the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District, pursuant to Section 16G½ of Chapter 71 of the Massachusetts General Laws, or take any action thereon or relative thereto.

**PURPOSE OF THE ARTICLE**

To establish a Capital Stabilization Account for the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School).

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 30, 2023</b>   |

**MOTION** (Requires a Majority Vote)

Move that the Town will vote to authorize the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District Committee to establish a Capital Stabilization Account for the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District, pursuant to Section 16G½ of Chapter 71 of the Massachusetts General Laws, or take any action thereon or relative thereto.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

Mr. Jon Evans, Keefe Tech Superintendent, stated that the goal of establishing this Capital Stabilization account is to have funding available to respond to unanticipated facility needs as we await approval for a larger building project. In 2022, the district submitted a Statement of Interest to the Massachusetts School Building Authority, but we were not accepted in our first attempt.

The Keefe Technical School facility is generally regarded as well-maintained and in good working order for a 50-year-old building. A new roof was installed in 2014 and in FY23 we completed funding for a long-term energy lease that provided an upgrade to fire detection systems, electrical fixtures, and HVAC systems. In 2021, an engineering study was conducted that showed a need for a major structural and building systems upgrade for the future.

Mr. Evans noted some of the advantages of a Capital Stabilization Account:

- Unused balances can roll forward at the end of a fiscal year
- Funds may be used for building needs through a 2/3rds vote of our school committee
- Unlike an Excess and Deficiency account, funds are available throughout the fiscal year

Over the next few years, we hope to raise \$500k in funding for emergency repairs if needed and allow for funding efforts towards new building planning. For this year, there is no additional money being requested to fund the account. We examined the impact the immediate capital plan would have and estimated it would raise the annual funding needs by about \$10k/year based on the current formulas.

Approval to establish the Capital Stabilization Account is required from the majority of our member communities through Annual Town Meetings and a vote of the Framingham City Council.

~~ END OF ARTICLE ~~

**ARTICLE 14**  
**PEG Access and Cable Related Fund Appropriation or Transfer of Funds**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see what sum of money the Town will vote to appropriate from the PEG Access and Cable Related Fund, established by vote of 2019 Special Town Meeting #1 under Article 1, as authorized by Chapter 44, Section 53F  $\frac{3}{4}$  of the General Laws, as amended, to fund PEG access programming, as well as certain other municipal cable related expenses; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To transfer PEG related funds currently held in various Town of Natick general accounts into specific accounts dedicated to the PEG services provided to the Town and residents.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                  | DATE VOTED:      | <b>April 11, 2023</b>   |

**MOTION** (Requires a Majority Vote)

Move that the Town vote to appropriate from the PEG Access and Cable Related Fund, established by vote of 2019 Special Town Meeting #1 under Article 1, as authorized by Chapter 44, Section 53F  $\frac{3}{4}$  of the General Laws, as amended, the sum of \$353,758.52 to fund PEG access programming.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

Presenter: Mr. John Townsend, Deputy Town Administrator and Finance Director

Mr. Townsend explained that this is the regular Article for funding the Pegasus public educational and governmental (PEG) TV access. It is funded by fees that come from the cable providers in Town which are collected on a quarterly basis. Most of them are from four different contracts. Currently, the Town has \$353,758.52 to pass along to Pegasus.

### Questions from the Committee

A member asked whether Natick Pegasus had been contacted to cross-check and confirm that the amount was in line with records/expectations. Due to the late receipt of the data, the presenter indicated that there hadn't been that confirmation.

Another member asked if this amount was in line with previous collections. The Finance Committee confirmed that this payment was higher than the Spring 2022 amount and reminded the participants that these funds have been trending downwards, due to fewer cable subscribers.

**~~ END OF ARTICLE ~~**

**ARTICLE 15**  
**Capital Equipment and Improvement**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see what sum of money the Town will vote to raise and appropriate, borrow, transfer from available funds or otherwise provide to implement a Capital Improvement Program as may be required for capital equipment for the various departments of the Town of Natick; to protect the physical infrastructure of the Town of Natick, to add new physical infrastructure, or to improve community assets; and further to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To fund the Town's capital equipment and improvement needs.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – OVERVIEW**

The chair of the capital subcommittee summarized the work of that subcommittee and some specific notable things about the requests in Article 15 including:

- There has been a change in the way vehicle funding is included. Rather than including line by line per vehicle funding, the funding for new vehicles is covered under the umbrella “vehicle and equipment replacement program.” This change is to allow flexibility when vehicles come in a little bit under or a little bit over the amount allocated, so the Town is still able to make those purchases. This change has been cleared with Town Counsel.
- There is a significant expenditure for building exterior repairs, including for work on the Town Hall.
- An independent report found that there were serious flaws in our security systems and this motion includes funding to upgrade and repair those systems.
- For Water/Sewer spending, there is funding for continuing the sewer pump station rehabilitation project and for continuing our work to reduce PFAS levels.

Jon Marshall, Deputy Town Administrator, presented and added some additional information including:

- He noted that the building envelope repairs are part of a larger stewardship program that started a couple of years ago to make sure that we are keeping up to date with appropriate repairs and maintenance of our buildings.
- In terms of the vehicle and equipment replacement program, Mr. Marshall provided further context about the changed format. Quotes and estimates received about vehicle prices are really only good for 30 days. By the time the capital improvement plan comes out each year, those numbers are outdated. This change will allow for flexibility if the numbers change.
- For PFAS, Mr. Marshall explained that there are two filters at the Springvale Water Treatment Plant and that only one set of those filters treat PFAS. We are able to currently treat some of the water right now but not all of it. To be clear, this treatment still puts us well below the level of what is required by Mass. DEP. But this request will fund additional filters and provide funding to study more long-term plans for treating PFAS.

#### Questions from the Committee

A member asked whether and how the town administration consults with the Sustainability Committee in looking for money to complete capital projects such as grants related to sustainability.

Mr. Marshall answered that they absolutely do and that they frequently have conversations with Sustainability Director Jillian Wilson-Martin about grant opportunities that may be available and they also take into account her guidance and communication from the Sustainability Committee in thinking about capital planning generally.

## FINANCE COMMITTEE RECOMMENDATION – MOTION A

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION A<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION A (Requires a 2/3 Vote)

Move that the Town vote to appropriate the sum of \$1,940,000 to be expended as follows:

- **Under the direction of the Facilities Department for the purpose of:**
  - **Building Exterior Envelope Repairs**
  - **Town Wide Security Replacement and Upgrades**
  - **Window Replacement Projects**
- **Under the direction of the Fire Department for the purpose of:**
  - **Engine Replacement**

all individually shown as items 1 through 4 in Table A below, and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow \$1,940,000 under Massachusetts General Laws Chapter 44, Section 7, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$1,940,000 in principal amount and that the Town Administrator with the approval of the Select Board is authorized to take any action necessary to carry out this program, and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.]

### Motion A (Table A) – Capital Equipment & Improvement

| Item | Department | Title                                      | Amount      | Funding Source        |
|------|------------|--------------------------------------------|-------------|-----------------------|
| 1    | Facilities | Building Exterior Envelope Repairs         | \$290,000   | Tax Levy<br>Borrowing |
| 2    | Facilities | Town Wide Security Replacement and Upgrade | \$300,000   | Tax Levy<br>Borrowing |
| 3    | Facilities | Window Replacement Projects                | \$350,000   | Tax Levy<br>Borrowing |
| 4    | Fire       | Engine Replacement                         | \$1,000,000 | Tax Levy<br>Borrowing |

Total    \$1,940,000

## FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION A

### Questions from the Committee

A member asked for each of the first three line items if Mr. Marshall could explain what facilities each of them apply to.

Mr. Marshall said that for the building exterior repairs they are looking at Fire Station 1, Memorial Beach, Morse Institute Library, the High School, and Town Hall. For security replacement and upgrades, they are looking at Town Hall, the Morse Institute Library, and the Public Works Department. Finally, the window replacements are for the East School building.

A member asked why we aren't funding these projects, such as window replacements, with infrastructure or incentive money that is becoming available to cities and towns?

Mr. Marshall answered that they need the authorization and the appropriation to move forward with this project and that currently there are no grants available for what they want to do right now. However, if there is an opportunity to get that kind of funding in the future, this doesn't preclude them from going after that. As an example, Mr. Marshall mentioned that we had at one point appropriated funding for bullet proof vests for the Fire Department but that the Chief was able to get donations to fund those purchases. In summary, just because you have something in front of you right here does not mean that if an opportunity comes up for grant funding or another source of funding that the Town won't go after it.

*The Finance Committee Recommended Favorable Action on Article 15 Motion A to appropriate the sum of \$1,940,000, sourced from Tax Levy borrowing, voted 12-0-0.*

## Building Exterior Envelope Repairs

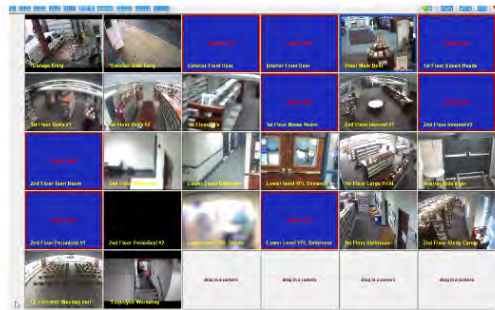
- Addresses projects at the exterior of building that are required as items /systems wear down
- Projects for FY24 include repointing, re-sealing, and exterior painting
- Locations for space renewal include Morse Library, Public Safety Building, Town Hall, NHS



Appropriation Request \$290,000

## Town wide Security Replacement/Upgrades

- Request will enable updating/upgrades to security systems Town wide
- Many systems are original to install and have not been update/upgraded
- Broken cameras need replacing, gaps have been identified in coverage, technology is outdated and needs updating



Appropriation Request \$300,000

## Window Replacement Projects

- Addresses window replacement projects Town wide
- Location for window replacement for FY24 is East School



Appropriation Request \$350,000

## Engine 1

- Replace 2010 E-one
- Over 80,000 miles and 8,700 engine hours at time of replacement
- Used daily by Fire Prevention
- The 2010 E-one will move to reserve status replacing current engine in reserve (2005)



Appropriation Request \$1,000,000

## FINANCE COMMITTEE RECOMMENDATION – MOTION B

|                                                                     |                  |                         |
|---------------------------------------------------------------------|------------------|-------------------------|
| <b>MOTION B</b><br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                     | QUANTUM OF VOTE: | <b>11-0-1</b>           |
|                                                                     | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION B (Requires a Majority Vote)

Move that the Town vote to appropriate the sum of \$2,566,200 to be expended as follows:

- Under the direction of the Public Works Department for the purpose of:
  - Tree Inventory and Replacement
- Under the direction of the Facilities Department for the purpose of:
  - Custodial Equipment Replacement Program
  - Space Renewal
- Under the direction of the Recreation and Parks Department for the purpose of:
  - Playground Updates
  - South Natick Dam and Grove Park
- Under the direction of the Public Works Department for the purpose of:
  - Stormwater Master Plan
  - Stormwater Drainage Improvement
  - Vehicle and Equipment Replacement Program
- Under the direction of the IT Department for the purpose of:
  - VxRail Server Equipment Refresh

all individually shown as items 1 through 9 in Table B below, and that to meet this appropriation the sum of \$2,566,200 be raised from Free Cash.

### Motion B (Table B)

| Item | Department             | Title                                     | Amount      | Funding Source |
|------|------------------------|-------------------------------------------|-------------|----------------|
| 1    | Public Works           | Tree Inventory and Replacement            | \$40,000    | Free Cash      |
| 2    | Facilities             | Custodial Equipment Replacement Program   | \$50,000    | Free Cash      |
| 3    | Recreation and Parks   | Playground Updates                        | \$50,000    | Free Cash      |
| 4    | Recreation and Parks   | South Natick Dam & Grove Park             | \$85,000    | Free Cash      |
| 5    | Public Works           | Stormwater Master Plan                    | \$125,000   | Free Cash      |
| 6    | Public Works           | Stormwater Drainage Improvements          | \$150,000   | Free Cash      |
| 7    | Information Technology | VxRail Server Equipment Refresh           | \$200,000   | Free Cash      |
| 8    | Facilities             | Space Renewal                             | \$251,200   | Free Cash      |
| 9    | Public Works           | Vehicle and Equipment Replacement Program | \$1,615,000 | Free Cash      |

Total \$2,566,200

## **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION B**

### Questions from the Committee

A member asked whether the new methodology of putting the vehicles into one line item for the vehicle equipment and replacement program would be the practice going forward for these types of acquisitions and whether the town discussed any other possibilities where we could continue to have line items.

Mr. Marshall explained that the administration did have a conversation about this and also with the subcommittee on it. They also considered the possibility of a separate line item for contingency funds for these purchases but that in terms of what they were trying to accomplish, this seemed like the cleanest way to go based on past experience.

A member asked if Town Counsel had an opinion about whether the new method of combining the vehicle purchases would leave any constraints on the Town in terms of what they can buy based on what is on the vehicle schedule.

Mr. Marshall answered that it would give the Town more flexibility but that their intention is to purchase the items that have been laid out in the presentation that has been made to the Capital Subcommittee, that is now being made to the Finance Committee and that will be made to Town Meeting. The consolidation is a recognition that the specific dollar amounts for each vehicle may go up or down but the administration does not intend to change the types of vehicles or equipment being purchased.

The same member followed up with a hypothetical—would the Town have the authority to decide instead of, for example, buying two police cruisers and an ambulance, to buy a really big ice cream truck?

Mr. Marshall said that he was honest with the subcommittee when this question came up there that this does not legally require the town to purchase the vehicles specified but of course their intent is to do so.

A member asked whether the playground updates item was attached to a specific playground or was funding for all playgrounds.

Mr. Marshall said it's all playgrounds. This is an ongoing request that looks at continuing to update "more complex" pieces of equipment at playgrounds such as spider webs, bridges connecting one platform to another and things of that nature.

The same member asked what space is contemplated for renewal under the "space renewal" item.

Mr. Marshall said the items they are looking at are East School, Memorial Beach, Town Hall, and the Community Senior Center.

A member asked why the request didn't include the specific vehicles to be purchased even if it included an authorization for just the total amount.

Mr. Marshall said he didn't have an answer for that but that they did have a conversation with counsel about how to approach it and that while alternative approaches were considered, this is what they ultimately came up with.

A member asked if money could be moved between different requests if things ended up costing different amounts than budgeted—for example could Recreation and Parks money get moved to Public Works.

Mr. Marshall said no. The only area that has changed in that regard from previous years is the vehicle funding.

#### Questions from the Public

Martin Kessel, Chair of the Open Space Advisory Committee and a former member of the Charles River Dam Advisory Committee asked whether the money allocated for the South Natick Dam and Grove Park was intended for the “major rebuild” that was contemplated by the latter committee.

Mr. Marshall said that this money would be for initial conceptual design work. He added that just to be clear, this money is only for the parks and is not related to spillway removal.

Mr. Kessel asked whether changes in the river as a result of the removal of the spillway were being factored into the design work.

Mr. Marshall said that this will be a phased project and at this point they do have some idea of what things will look like post-removal but as things move along, those plans can be adjusted—at this point the work is really conceptual.

Frank Foss, Town Moderator, asked whether with respect to the vehicles purchased through the single appropriation line they would still have to go through a procurement process that includes review by staff and, in some cases, the Select Board.

Mr. Marshall confirmed that there are procurement practices we have to follow and depending on the purchase that may include Select Board review while others can just be approved by the Town Administrator but either way they follow procurement procedures “to a T.”

#### Comments from the Public

Mr. Kessel said he was delighted that these parks were going to be looked at together and that he really believes an integrated approach is necessary.

#### Debate from the Committee

A member explained their support for the consolidation of vehicles by noting that Mr. Marshall has provided a detailed listing of the vehicles to be purchased and while that list isn’t legally binding, if the town were to do something different, we would be able to hold them accountable for that.

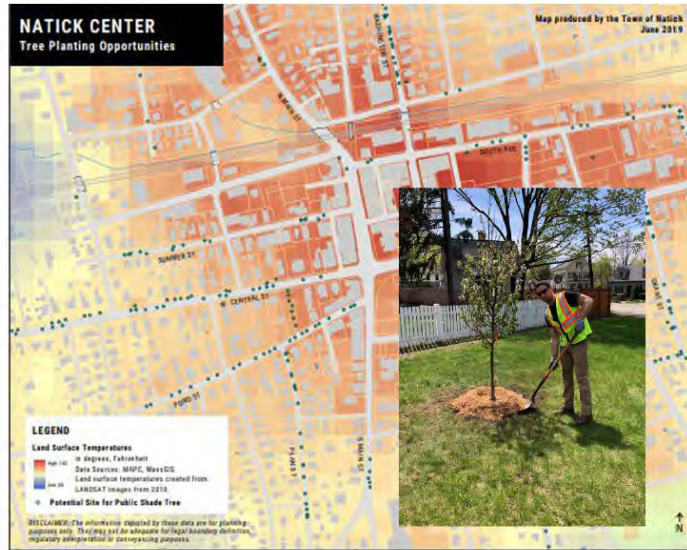
Another member said that while he can appreciate the explanation for the vehicle consolidation approach, he has concerns that this takes the choice away from Town Meeting to be able to vote individually on the vehicles. For that reason, he said he would abstain from the vote.

*The Finance Committee Recommended Favorable Action on Article 15 Motion B to appropriate the sum of \$2,566,200, sourced from Free Cash, voted 11-0-1.*

## Tree Inventory and Replacement

- Continue Public Shade Tree Planting
- 30-50 Risk Trees removed per year (will increase)
- Loss of Tree Canopy due to disease, climate change and invasive pests
- Goal is to exceed removal numbers - planted 38 new trees in 2021 & 2022

<https://www.natickma.gov/1637/Strategic-Tree-Planting-Program>



Appropriation Request \$30,000

## Custodial Equipment Replacement Program

- Replace larger custodial equipment
- Equipment has reached useful life
- Equipment is needed for proper maintenance of facilities
- Existing vehicle has numerous maintenance issues



Appropriation Request \$50,000

## Playground Updates

- Replace larger play equipment that has failed
- Meet code regulation updates
- Outfit equipment for code compliance
- Town has over 20 playgrounds Town wide



Appropriation Request \$50,000

## South Natick Park System Design

- South Natick Dam and Grove park have needed park updates (2016 master plan for Parks and Fields)
- Funding was provided in 2022 for park design of South Natick Courts
- Funding will enable design to take place for all 3 locations enabling a more comprehensive approach to the park system



Appropriation Request \$85,000

## Stormwater Master Plan

- Preparation of a town wide storm water master plan by engineering consultants
- Evaluate condition and capacity of the town's storm water conveyance systems
- Develop solutions to alleviate flooding
- Scoping and costs for future capital improvements
- Second of two appropriation requests



Mercer Road Flooding

Appropriation Request \$125,000

## Stormwater Drainage Improvement

- Fund the replacement and minor upgrade to the stormwater drainage outfall at Farwell Street



Appropriation Request \$150,000

## Dell VxRail Server Equipment Refresh

- Servers run all Town's on premise software systems
- Servers will be 5 years old and no longer supported



Appropriation Request \$200,000

## Space Renewal

- Addresses projects in buildings that are required as items wear down
- Projects for FY24 include replace carpeting, painting, outfitting for accessibility, and bathroom partitions
- Locations for space renewal include East School, Community Senior Center, Town Hall and Memorial Beach.



Appropriation Request \$251,200

## Recycling Truck

- Replace 2017 Peterbilt
- Over 78,000 miles and 7,500 engine hours
- Frame and body issues, ongoing mechanical issues with hydraulic arm, out of warranty
- Current lead time estimated at 24 months



Appropriation Request \$500,000

## Ambulance 1

- Replace 2016 Ambulance – will move to reserve status
- Over 120,00 miles and 8,700 engine hours at time of replacement
- Used daily by Fire Prevention – increased miles with loss of MWMC
- The 2016 will move to reserve status and replace the 2011 in reserve



Appropriation Request \$450,00

## Highway Department Hooklift (swap loader)

- Replace 2006 F-550
- Over 110,000 miles and 8,650 engine hours at time of replacement
- Transmission slips in cold weather months, electrical issues, body rot



Appropriation Request \$200,000

## Police Cruiser Replacement

Over 100,000 miles at replacement

Two Police Interceptors

Replacement vehicles will have hybrid powertrains

Vehicles are used by 3 shifts – 7 days a week



Appropriation Request \$150,000

## DPW Generator (engineering)

- Estimated age 1990 – when building built
- Provides power for DPW buildings and fuel Depot
- First phase of a 2 year project
- Generator has been unreliable and not performed during startups
- Repairs are more intensive and sourcing parts have become difficult



Appropriation Request \$100,000

## Public Works Director Vehicle

- Replace 2014 Ford Explorer – will move to engineering division to replace vehicle
- Vehicle is in good condition - 65,000 miles
- This vehicle will receive more rigorous use in the engineering division allowing us to maximize the useful life
- This will replace a 2009 explorer in engineering dept.



Appropriation Request \$85,000

## High School Tractor

- Replace 2012 John Deere Tractor
- Current tractor used by the school department to plow/sand the sidewalks during winter
- Cab and doors are rotting, chassis is corroded, hydraulic system is in need of overhaul



Appropriation Request \$60,000

## LFNR Mower

- Replace 1988 John Deere
- Current mower is non operational
- Mower needed to enable LFNR to more efficiently address mowing tasks Townwide



Appropriation Request \$50,000

## Cross Country Open Trailer

- Replace 2011 Cross Country
- Axle needs to be overhauled, decking needs to be replaced, multiple welds have been needed on frame



Appropriation Request \$20,000

## FINANCE COMMITTEE RECOMMENDATION – MOTION C

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION C<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>11-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION C (Requires a 2/3 Vote)

Move that the Town vote to appropriate the sum of \$2,725,000 to be expended under the direction of the Department of Public Works for the purpose of:

- Replace Groundwater Wells
- Broads Hill Water Storage Reservoir Building Rehabilitation
- Sewer Pump Station Rehabilitation and Replacement
- Springvale Water Treatment Facility Filter Expansion

all individually shown as items 1 - 4 in the Table C below and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow \$2,725,000 under Massachusetts General Laws Chapter 44, Section 7(1), as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$2,725,000 in principal amount and that the Town Administrator with the approval of the Select Board is authorized to take any action necessary to carry out this program, and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

### Motion C (Table C) – Capital Equipment & Improvement

| Item | Title                                                       | Amount      | Funding Source |
|------|-------------------------------------------------------------|-------------|----------------|
| 1    | Replace Groundwater Wells                                   | \$300,000   | W/S Borrowing  |
| 2    | Broads Hill Water Storage Reservoir Building Rehabilitation | \$375,000   | W/S Borrowing  |
| 3    | Sewer Pump Station Rehabilitation and Replacement           | \$550,000   | W/S Borrowing  |
| 4    | Springvale Water Treatment Facility Filter Expansion        | \$1,500,000 | W/S Borrowing  |

Total \$2,725,000

## FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION C

### Questions from the Committee

A member asked whether the PFAS filter expansion could lead to increased operating costs because of replacing filter media.

Mr. Marshall said it may but that they are exploring ways to keep the costs down and reiterated that a portion of this funding is to look for a longer-term solution that may be more cost effective.

*The Finance Committee Recommended Favorable Action on Article 15 Motion C to appropriate the sum of \$2,725,000, sourced from Water Sewer Borrowing, voted 11-0-0.*

### Replace Groundwater Wells

- Multi-phase project to rehabilitate and replace Town's water supply wells
- Current request would provide funds for Morse Pond and Evergreen #3
- Evergreen Well site is one of the Town's primary sources of drinking water



Appropriation Request \$300,000

## Broads Hill Water Storage Reservoir Building Rehab

- Project will fund the replacement of the failing building that contains the chlorine feed system for Broads Hill
- Project will include a new precast building with proper ventilation



Appropriation Request \$375,000

## Sewer Pump Station Rehabilitation and Replacement

- This is a multi-year project to replace/rehabilitate the pump stations that are located throughout Town
- Over 34 pump stations
- 25 – 30 year life expectancy



Appropriation Request \$550,000

## Springvale Water Treatment Facility Filter Expansion to address PFAS

- Expansion of Tonka Water Filters and addition of Permanent Carbon Filtration Facility for
- Filters are need to reduce levels of PFAS
- State and Federal regulations are mandating appropriate acceptable levels



Appropriation Request \$1,500,000

## FINANCE COMMITTEE RECOMMENDATION – MOTION D

|                                                              |                  |                         |
|--------------------------------------------------------------|------------------|-------------------------|
| MOTION D<br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                              | QUANTUM OF VOTE: | <b>11-0-0</b>           |
|                                                              | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION D (Requires a Majority Vote)

Move that the Town vote to appropriate the sum of \$285,000 to be expended under the direction of the Department of Public Works for the purpose of:

- Water Treatment Plant Truck
- Water Distribution System Enhancements

all individually shown as items 1 - 2 in the Table D below, and that to meet this appropriation the sum of \$285,000 be raised from Water/Sewer retained earnings.

### Motion D (Table D) – Capital Equipment & Improvement

| Item  | Title                                  | Amount    | Funding Source        |
|-------|----------------------------------------|-----------|-----------------------|
| 1     | Water Treatment Plant Truck            | \$135,000 | W/S Retained Earnings |
| 2     | Water Distribution System Enhancements | \$150,000 | W/S Retained Earnings |
| Total |                                        | \$285,000 |                       |

## FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION D

*The Finance Committee Recommended Favorable Action on Article 15 Motion D to appropriate the sum of \$285,000, sourced from Water Sewer Retained Earnings, voted 11-0-0.*

## Water Treatment Plant Truck

- Replace 2008 F-350
- Over 85,000 miles and 8,150 engine hours at time of replacement
- Truck has been pieced together from other vehicles over time (i.e. truck bed is from a newer model Ford due to old bed rotting out) – mixed and matched to keep together over years



Appropriation Request \$135,000

## Water Distribution System Enhancements

- Provide funding to repair structural and capacity deficiencies in system
- Improve structural integrity of the Town's water system
- Work would address water mains, fire hydrant replacement, and other systems to properly maintain the distribution system.



Appropriation Request \$150,000

## FINANCE COMMITTEE RECOMMENDATION – MOTION E

|                                                              |                  |                         |
|--------------------------------------------------------------|------------------|-------------------------|
| MOTION E<br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                              | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                              | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION E (Requires a 2/3 Vote)

Move that the Town vote to appropriate the sum of \$65,000 to be expended under the direction of the Community Services– Sassamon Trace Golf Course for the purpose of Purchasing a Maintenance Truck, shown as item 1 in the Table E below and that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow \$65,000 under Massachusetts General Laws Chapter 44, Section 7, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$65,000 in principal amount and that the Town Administrator with the approval of the Select Board is authorized to take any action necessary to carry out this program, and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

### Motion E (Table E) – Capital Equipment & Improvement

| Item | Title             | Amount   | Funding Source           |
|------|-------------------|----------|--------------------------|
| 1    | Maintenance Truck | \$65,000 | Golf Course<br>Borrowing |

## FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION E

### Questions from the Committee

A member asked how it was determined to purchase this using borrowing instead of retained earnings. Mr. Marshall explained that two factors motivated that decision in this case. One was the life expectancy of the truck which the Town is hoping will be 10 or more years. For a longer term purchase like that, borrowing seemed more appropriate. He also noted that they try to maintain a good balance of retained earnings and if they drew further items from retained earnings it would have brought them below a balance that they were comfortable with.

*The Finance Committee Recommended Favorable Action on Article 15 Motion E to appropriate the sum of \$65,000, sourced from Golf Course Borrowing, voted 12-0-0.*

## Replace Golf Truck

- Golf course has been using handed down 2007 F-350
- Current vehicle is frequently breaking down, impacting operations
- Used daily for supplies, bringing larger items out to course, trailering and used by DPW for snow plowing operations



Appropriation Request \$65,000

## FINANCE COMMITTEE RECOMMENDATION – MOTION F

|                                                              |                  |                         |
|--------------------------------------------------------------|------------------|-------------------------|
| MOTION F<br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                              | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                              | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION F (Requires a Majority Vote)

Move that the Town vote to appropriate the sum of \$105,000 to be expended under the direction of the Community Services -Sassamon Trace Golf Course for the purpose of:

- Fairway Mower
- Sprayer

All individually shown as items 1 - 2 in the Table F below, and that to meet this appropriation the sum of \$105,000 be raised from Sassamon Trace Golf Course retained earnings.

### Motion F (Table F) – Capital Equipment & Improvement

| Item | Title         | Amount          | Funding Source         |
|------|---------------|-----------------|------------------------|
| 1    | Fairway Mower | \$65,000        | Golf Retained Earnings |
| 2    | Sprayer       | \$40,000        | Golf Retained Earnings |
|      |               | Total \$105,000 |                        |

## FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION F

Mr. Marshall noted that the sprayer is part of an item that was in front of Town Meeting in the fall for a different amount. The reason it is back is because the appropriation was disallowed by DLR based on the timing of the free cash and retained earnings certifications. The reason the amount is different is because the sprayer comes in two components—the sprayer itself and the cart it sits on. The course could not wait for Town Meeting to purchase the sprayer itself so ended up buying that with money from its operating budget. This \$40,000 is to purchase the other component, the cart it sits on.

### Questions from the Committee

A member noted that this mower is a replacement for an item that was purchased only three years ago and asked if this was a typical shelf life for this item.

Mr. Marshall answered that these things do have a fairly short shelf life although the request takes into account that it will take approximately a year to actually get the replacement due to supply chain issues.

*The Finance Committee Recommended Favorable Action on Article 15 Motion F to appropriate the sum of \$105,000 sourced from Sassamon Trace Golf Course Retained Earnings, voted 12-0-0.*

## Fairway Mower

- Replaces current fairway mower
- Mower is essential piece of equipment for the golf course
- Mower is in need of timely replacement



Appropriation Request \$65,000

~~ END OF ARTICLE ~~

**ARTICLE 16**  
**Adjust Asset Limit for Personal Exemption Clause 17D by Annual COLA**  
**(Board of Assessors)**

**ARTICLE LANGUAGE**

To see if the Town will vote to accept Massachusetts General Laws Chapter 59, Section 5, Clause 17E, which authorizes an annual increase in the asset (whole estate) limit for exemptions granted to senior citizens, surviving spouses and surviving minors under Massachusetts General Laws Chapter 59, Section 5, Clause 17D by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**PURPOSE OF THE ARTICLE**

To provide an annual cost of living adjustment for exemptions provided to eligible senior citizens, surviving spouses and surviving minors under MGL Chapter 59, Section 5, Clause 17D.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>11-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 16, 2023</b>   |

**MOTION** (Requires a Majority Vote)

Move that the Town vote to accept Massachusetts General Laws Chapter 59, Section 5, Clause 17E, which authorizes an annual increase in the asset (whole estate) limit for exemptions granted to senior citizens, surviving spouses and surviving minors under Massachusetts General Laws Chapter 59, Section 5, Clause 17D by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee met on March 16th to discuss Article 4 and voted Favorable Action 11-0-0. Eric Henderson, Director of Assessing, presented.

Mr. Henderson explained that this Article is brought before Spring Annual Town Meeting every year to increase the amount of the asset (whole estate) limit for exemptions for qualified taxpayers including senior citizens over 70, surviving spouses, and surviving minor children. This limit for exemption falls under Massachusetts General Laws Chapter 59, Section 5, Clause 17E. Currently, these individuals must have a whole estate less than \$40,000 to qualify. Historically, this annual increase includes a percentage of the state base amount and an additional 2.5% to keep up with inflation and increased taxes. Unfortunately, that increase would not be sufficient to reflect the current tax reality. The FY23 exemption is currently \$293.13 for those who qualify.

This proposed Article will adjust the asset limit for the exemption by creating an annual COLA. In Mr. Henderson's assessment, this step should have been taken a long time ago. The current \$40,000 limit is a low limit and has not changed for a long time. Last year, the annual COLA was 7%. Had this Article been in place last year, the current exemption limit would be \$42,800. We will find out what the COLA for FY24 will be shortly. What is important about this change is that, if approved, this Article would allow the limit to grow cumulatively each year.

In concluding his presentation, Mr. Henderson acknowledged that he did not have an estimate of how many more applicants would qualify for the exemption based on this adjustment. He did stress that the value of this adjustment is well worth the cost. Not many communities are doing this, but this is a proactive step to assist people with what can be done under the law. Mr. Henderson encouraged interested people to visit the town website to explore the many exemption options and tax deferral options that are available to residents.

#### Questions from the Committee

A member asked for the number of people who receive 100% exemptions on their entire tax bill. Mr. Henderson responded that he did not know the exact number, but that there were a few people who did receive this including police and firefighters lost in the line of duty and some disabled veterans.

A member asked if there was something that could be done by the town to avoid these annual changes and calculations. The member suggested a tax freeze for qualified residents. Mr. Henderson explained that this is not possible under the current law.

A member asked if there was an estimate of how many more people would be impacted by these changes. Mr. Henderson estimated that it would be low - maybe ten people. He said that the goal would be up to 15 people each year.

A member asked if the Assessor's overlay account is not spent each year, does it drop to free cash? Mr. Henderson explained that after paying for exemptions, abatements, receivables, court cases and liabilities, there is an annual release. Typically, \$260,000 - \$290,000 is used to pay for exemptions. Mr. Henderson assured the committee that the overlay could cover the proposed changes to exemption limits.

A member asked if the exemptions were all or nothing. If an otherwise qualifying individual makes \$1 more, they do not get the exemption, but, if they make \$1 less than the limit, they get the whole exemption. Mr. Henderson confirmed that this was correct.

~~ END OF ARTICLE ~~

**ARTICLE 17**  
**Adjust Income and Asset Limits for Personal Exemption Clause 41C by Annual COLA**  
**(Board of Assessors)**

**ARTICLE LANGUAGE**

To see if the Town will vote to accept Massachusetts General Laws Chapter 59, Section 5, Clause 41D, which authorizes an annual increase in the income (gross receipts) and asset (whole estate) limits for exemptions granted to senior citizens under Massachusetts General Laws Chapter 59, Section 5, Clause 41C by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**PURPOSE OF THE ARTICLE**

To provide an annual cost of living adjustment for exemptions provided to eligible senior citizens under MGL Chapter 59, Section 5, Clause 41C.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>10-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 16, 2023</b>   |

**MOTION** (Requires a Majority Vote)

Move that the Town vote to accept Massachusetts General Laws Chapter 59, Section 5, Clause 41D, which authorizes an annual increase in the income (gross receipts) and asset (whole estate) limits for exemptions granted to senior citizens under Massachusetts General Laws Chapter 59, Section 5, Clause 41C by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee met on March 16th to discuss Article 4 and voted Favorable Action 10-0-0. Eric Henderson, Director of Assessing, presented.

Mr. Henderson explained that this Article is brought before Spring Annual Town Meeting every year to increase the amount of the asset (whole estate) limit for exemptions for qualified taxpayers - including senior citizens over 65. This limit for exemption falls under Massachusetts General Laws Chapter 59, Section 5, Clause 41C. Currently, these individuals must have a whole estate less than \$40,000 (or \$55,000 if married) and an income less than \$20,000 (or \$30,000 if married) to qualify. If the taxpayer's income is social security, there is an additional deduction that is taken off the exemption, but these are still low numbers. The FY23 exemption granted is currently \$1,650.00 for those who qualify.

This proposed Article will adjust the income and asset limit for the exemption by creating an annual COLA. For illustrative purposes and using the 7% COLA from FY23, a 7% COLA for FY2024 would raise the income exemption limit from \$20,000 (or \$30,000 if married) to \$21,400 (or \$32,100 if married) and the asset limit would rise from \$40,000 (or \$55,000 if married) to \$42,800 (or \$58,850 if married). If approved, this Article would allow the limits to grow cumulatively each year from the annual COLA. Mr. Henderson stressed that this change would get more low income seniors qualified for these exemptions.

In concluding his presentation, Mr. Henderson acknowledged that he did not have an estimate of how many more applicants would qualify for the exemption based on this adjustment. He did stress that the value of this adjustment is well worth the cost. Not many communities are doing this, but this is a proactive step to assist people with what can be done under the law. Mr. Henderson encouraged interested people to visit the town website to explore the many exemption options and tax deferral options that are available to residents.

#### Questions from the Committee

A member asked for the number of people who receive 100% exemptions on their entire tax bill. Mr. Henderson responded that he did not know the exact number, but that there were a few people who did receive this including police and firefighters lost in the line of duty and some disabled veterans.

A member asked if there was something that could be done by the town to avoid these annual changes and calculations. The member suggested a tax freeze for qualified residents. Mr. Henderson explained that this is not possible under the current law.

A member asked if there was an estimate of how many more people would be impacted by these changes. Mr. Henderson estimated that it would be low - maybe ten people. He said that the goal would be up to 15 people each year.

A member asked if the Assessor's overlay account is not spent each year, does it drop to free cash? Mr. Henderson explained that after paying for exemptions, abatements, receivables, court cases and liabilities, there is an annual release. Typically, \$260,000 - \$290,000 is used to pay for exemptions. Mr. Henderson assured the committee that the overlay could cover the proposed changes to exemption limits.

A member asked if the exemptions were all or nothing. If an otherwise qualifying individual makes \$1 more, they do not get the exemption, but, if they make \$1 less than the limit, they get the whole exemption. Mr. Henderson confirmed that this was correct.

~~ END OF ARTICLE ~~

**ARTICLE 18**  
**Increase Personal Exemptions**  
**(Board of Assessors)**

**ARTICLE LANGUAGE**

To see if the Town will vote to amend the additional real estate tax exemption granted under Massachusetts General Laws Chapter 59, Section 5C1/2 to taxpayers who are granted personal exemptions on their domiciles under Massachusetts General Laws Chapter 59, Section 5, including certain blind persons, veterans, surviving spouses and seniors, to an additional exemption of up to 100 percent of the personal exemption to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**PURPOSE OF THE ARTICLE**

To increase exemption dollar amounts that are credited to qualified applicants' real estate tax bills including seniors with low income and/or assets, blind individuals, and disabled veterans. The increased amounts are proposed to keep pace with inflation and increased taxes.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>10-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 16, 2023</b>   |

**MOTION (Requires a Majority Vote)**

Move that the Town vote to amend the additional real estate tax exemption granted under Massachusetts General Laws Chapter 59, Section 5C1/2 to taxpayers who are granted personal exemptions on their domiciles under Massachusetts General Laws Chapter 59, Section 5, including certain blind persons, veterans, surviving spouses and seniors, to an additional exemption of up to 100 percent of the personal exemption to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee met on March 16th to discuss Article 4 and voted Favorable Action 10-0-0. Eric Henderson, Director of Assessing, presented.

Mr. Henderson explained that this annual article has been supported by Town Meeting for the past 20+ years. Currently, the increase over the state base amounts for real estate tax exemption credits is 65%. The funding source for these exemption credits is the Assessor's overlay account, which is budgeted for annually.

This proposed Article will adjust the increase in tax exemption credits to the “max” increase (i.e. 100% over the state base amounts). In effect, this would make out tax exemption credits double the state base amounts. The following chart illustrates the difference in awards from the current amount and the estimated cost:

| EXEMPTION                     | FY22<br>COUNT                    | FY23 AMT    | FY23 EST<br>COST     | FY24 AMT<br>MAX % | FY24 AMT<br>EST 100% |
|-------------------------------|----------------------------------|-------------|----------------------|-------------------|----------------------|
| Clause 17d Elderly, Surviving | 23                               | \$ 288.75   | \$ 6,641.25          | \$ 350.00         | \$ 8,050.00          |
| Clause 22(a-d) Veteran        | 91                               | \$ 660.00   | \$ 60,060.00         | \$ 800.00         | \$ 72,800.00         |
| Clause 22A Veteran            |                                  | \$ 1,237.50 |                      | \$ 1,500.00       |                      |
| Clause 22B Veteran            |                                  | \$ 2,062.50 |                      | \$ 2,500.00       |                      |
| Clause 22C Veteran            | 1                                | \$ 2,475.00 | \$ 2,475.00          | \$ 3,000.00       | \$ 3,000.00          |
| Clause 22E Veteran            | 25                               | \$ 1,650.00 | \$ 41,250.00         | \$ 2,000.00       | \$ 50,000.00         |
| Clause 37 Blind               | 29                               | \$ 825.00   | \$ 23,925.00         | \$ 1,000.00       | \$ 29,000.00         |
| Clause 41C Elderly            | 34                               | \$ 1,650.00 | \$ 56,100.00         | \$ 2,000.00       | \$ 68,000.00         |
| <b>SUBTOTAL:</b>              | <b>203</b>                       |             | <b>\$ 190,451.25</b> |                   | <b>\$ 230,850.00</b> |
|                               |                                  |             |                      |                   |                      |
|                               | <b>EST COST OF MAX% INCREASE</b> |             |                      |                   | <b>\$ 40,398.75</b>  |

The additional annual cost to the overlay account is approximately \$40,400. The annual overlay varies in the \$1.1 to \$1.3 million range. The Board of Assessors supports this and this can be easily covered by the overlay account.

~~ END OF ARTICLE ~~

**ARTICLE 19**  
**Home Rule Petition to Amend Chapter 336 of the Acts of 2004**  
**(Select Board)**

**ARTICLE LANGUAGE**

To see if the Town will vote to authorize the Select Board to petition the General Court to enact legislation in substantially the following Form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the general public objectives of this petition.

AN ACT TO AMEND CHAPTER 336 OF THE ACTS OF 2004 RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES OF CLUBS OR VETERANS' ORGANIZATIONS IN THE TOWN OF NATICK

*Be it enacted in the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1 Chapter 336 of the Acts of 2004, entitled AN ACT RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES OF CLUBS OR VETERANS' ORGANIZATIONS IN TOWN OF NATICK is hereby amended by deleting from Section 1 thereof the following language " All proceeds from any sales pursuant to a permit granted under this act shall be used solely for the license holder's charitable purposes".

As amended, said Section 1 shall read:

SECTION 1. Notwithstanding section 12 of chapter 138 of the General Laws or any other general or special law to the contrary, with respect to a club which is licensed under said section 12 of said chapter 138 to sell alcoholic beverages in the town of Natick, the local licensing authority of said town may, subject to the approval of the alcoholic beverages control commission, grant a permit to the holder of a club license to allow functions or fundraising activities held at the licensed premises or any part thereof to serve food and sell or dispense alcoholic beverages lawfully possessed by such licensee under that license to persons other than members of the club, to be consumed on the licensed premises, if such functions or fundraising activities are sponsored by a member of the club, who shall be present at the functions or fundraising activities, and subject to such conditions as the licensing authority may impose and to regulations made by the licensing authority. The application procedures under section 15A of said chapter 138 shall apply to permits for the sale of alcoholic beverages issued under this act. A permit issued under this act shall expire not later than December 31 of the year of issue, but shall be subject to revocation or cancellation within its term.

SECTION 2 This act shall take effect upon its passage

or otherwise act thereon.

## PURPOSE OF THE ARTICLE

To remove the requirement that Clubs and Veterans Organizations must use proceeds from the sale of alcoholic beverages to be consumed on the premises for charitable purposes, thus allowing these non-profit organizations more flexibility to sustain their operations through the sale of alcoholic beverages during non-member, hosted events.

## FINANCE COMMITTEE RECOMMENDATION

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>11-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 28, 2023</b>   |

### **MOTION (Requires a Majority Vote)**

Move that the Town vote to authorize the Select Board to petition the General Court to enact legislation in substantially the following Form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the general public objectives of this petition.

#### **AN ACT TO AMEND CHAPTER 336 OF THE ACTS OF 2004 RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES OF CLUBS OR VETERANS' ORGANIZATIONS IN THE TOWN OF NATICK**

Be it enacted in the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1 Chapter 336 of the Acts of 2004, entitled AN ACT RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES OF CLUBS OR VETERANS' ORGANIZATIONS IN TOWN OF NATICK is hereby amended by deleting from Section 1 thereof the following language "All proceeds from any sales pursuant to a permit granted under this act shall be used solely for the license holder's charitable purposes".

As amended, said Section 1 shall read:

SECTION 1. Notwithstanding section 12 of chapter 138 of the General Laws or any other general or special law to the contrary, with respect to a club which is licensed under said section 12 of said chapter 138 to sell alcoholic beverages in the town of Natick, the local licensing authority of said town may, subject to the approval of the alcoholic beverages control commission, grant a permit to the holder of a club license to allow functions or fundraising activities held at the licensed premises or any part thereof to serve food and sell or dispense alcoholic beverages lawfully possessed by such licensee under that license to persons other than members of the club, to be consumed on the licensed premises, if such functions or fundraising activities are sponsored by a member of the club, who shall be present at the functions or fundraising activities, and subject to such conditions as the licensing authority may impose and to regulations made by the licensing authority. The application procedures under section 15A of said chapter 138 shall apply to permits for the sale of alcoholic beverages issued under this act. A permit issued under this act shall expire not later than December 31 of the year of issue, but shall be subject to revocation or cancellation within its term.

SECTION 2 This act shall take effect upon its passage or otherwise act thereon.

### **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee met on March 28th to discuss Article 19 and voted Favorable Action 11-0-0. Paul Joseph, Chair of the Select Board, presented.

Mr. Joseph framed this Article within the Select Board's initiative to take a comprehensive look at Town alcohol policies over the past year. One of the key provisions the board has identified is club alcohol sale licenses. In 2004, Natick went to a home rule petition to require that clubs get liquor permits for non-member events to report sales and use those proceeds for charitable purposes only. Over the years, running these organizations has grown increasingly difficult and accounting around these events has been sporadic at best. Year after year, these licenses have to be reappraised and sometimes the numbers for totals and charity contributions do not always add up. The board is forced to go through a mechanical process to have the clubs balance their sheets but, truthfully, it is kind of meaningless.

The goal of this Article is to give some additional latitude to the financial liability of these clubs and no longer restrict their use of the funds for charitable purposes only. It is important to remember that they are registered non-profits themselves and they could use these profits to sustain their own operations. The actions of the Article would help give the clubs some stability moving forward.

Mr. Joseph further explained that all the Article is doing is removing the language from the original home rule petition from 2004 about using the proceeds from non-member events for charitable purposes only. The rest of the original language will remain in effect.

Mr. Joseph also provided the numbers for all the charitable donations that clubs accounted for under this law in 2021 and 2022, which was approximately \$77,000 for those two years.

#### Finance Committee Questions

A member asked if the changes had been reviewed by Town Counsel. Mr. Joseph confirmed that they had.

A member asked if there has been any reaction from clubs to these proposed changes. Mr. Joseph stated that he was not aware if a member of the Select Board had direct contact with club representatives, so he could not directly answer the question. He commented that he could not see these changes having anything but a positive effect as they are reducing the work of the clubs and give them more flexibility.

A member asked to clarify if these changes would impact member events and non-member events. Mr. Joseph confirmed that the changes would only impact non-member events, as member event proceeds can be used for operational costs already. The member asked if clubs report non-member events to the Select Board after every event. Mr. Joseph clarified that these reports are done on an annual basis. The member asked if this will still be required under the new changes. Mr. Joseph explained that it would no longer be required.

A member asked if these changes would impact the competitive balance between these clubs and restaurants downtown and if there were any financial repercussions that the Finance Committee should consider. Mr. Joseph explained that one could argue that they are already competing and this competition is something that the Select Board will continue to monitor as it examines Town alcohol policies moving forward. In his assessment, these policy changes do not give clubs a particular advantage.

~~ END OF ARTICLE ~~

**ARTICLE 20**  
**Amend the Town of Natick By-Laws: Create New Committee**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town will vote to amend the General Bylaws of the Town of Natick to establish a Community Preservation Committee in accordance with the provisions of M.G.L. c. 44B.

**PURPOSE OF THE ARTICLE**

In the 2022 fall election, Natick voted to adopt the Community Preservation Act, which requires that a Community Preservation Committee be established to review projects requesting funding through the Community Preservation Fund and provide recommendations to Town Meeting to appropriate the funding. The bylaw will serve to establish the Committee and outline the duties, composition, and administration, which can be further refined through regulations adopted by the Committee once established.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>13-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 21, 2023</b>   |

## **MOTION (Requires a Majority Vote)**

### **Section 1 Establishment, duties and organization**

- (a) The Natick Community Preservation Committee (CPC) is hereby established to carry out the functions and duties of such a community preservation committee as provided in General Laws Chapter 44B, the Community Preservation Act (CPA), including,
  - (1) The CPC shall study the needs, possibilities, and resources of the Town regarding community preservation.
  - (2) The CPC shall make recommendations to the Town Meeting for funding of projects that involve open space, historic resources, land for recreational use, and community housing and that meet the other requirements in General Laws Chapter 44B, including that such funds shall not be used for maintenance.
  - (3) It is the intent of this Bylaw that, to the extent possible, projects using CPA funds seek to leverage other funding resources. CPA funds shall not replace existing operating funds, only augment them per MGL Chapter 44B Section 6.
- (b) The CPC shall annually elect one of its members to serve as chairperson and may elect such other officers, adopt procedural rules and regulations, and establish any subcommittees as it deems appropriate.
- (c) The CPC shall evaluate all requests for project funding from the Community Preservation Fund in accordance with the goals of the CPA and the guidelines and procedures established by the CPC.
- (d) The CPC shall meet annually with the Select Board, separately from review of project funding recommendations and the annual budget, to review the status of the Community Preservation Fund, Natick's community preservation program, and the Bylaw. The Select Board may request additional meetings with the CPC as needed.

### **Section 2 Composition; eligibility, terms of office, term limits**

- (a) The CPC shall consist of nine (9) members, as follows:
  - (1) The Conservation Commission, Planning Board, Natick Housing Authority, Historical Commission, and Recreation and Parks Commission shall each designate one of its members, , to serve as a member of the CPC (the "statutory members").
  - (2) The remaining four (4) members (the "appointed members") shall be appointed by the Select Board. In making such appointments, the Select Board shall be guided by the goals that the CPC's overall membership includes persons with relevant professional expertise and represents the diversity of the Town's residents and precincts.

- (3) No appointed member shall be an employee of the Town or elected official of the Town, not including Town Meeting members.
- (4) The CPC shall not meet or conduct business without the presence of a quorum. A majority of the members of the CPC shall constitute a quorum. The CPC shall approve its actions by majority vote of those members present at a meeting. Recommendations to Town Meeting shall include the anticipated costs.
- (b) Each appointing authority shall appoint their representative within sixty (60) days of this bylaw taking effect. Any subsequent appointments due to vacancy must also be filled by the appointing authority within sixty (60) days.
- (c) Members shall serve for terms of three (3) years or until their successors shall take office. Appointments shall allow for staggered terms.
- (d) No person shall be eligible to serve as a member for more than twelve (12) years of total service.
- (e) Statutory or appointed members who remove their residence from the town shall be considered to have resigned from the CPC.

### **Section 3 Mechanisms for legislative approval**

- (a) The CPC shall make recommendations to Town Meeting for uses of the Community Preservation Fund consistent with MGL Chapter 44B Section 5(b)2-4.
- (b) The CPC may include in its package to Town Meeting a recommendation to set aside for later spending funds for specific purposes consistent with community preservation, but for which sufficient revenues are not then available in the Community Preservation Fund. These recommendations must be identified to accomplish that specific purpose.
- (c) In each fiscal year and upon the recommendation of the Community Preservation Committee, Town Meeting shall spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space and recreation, not less than 10 per cent of the annual revenues for historic resources and not less than 10 per cent of the annual revenues for community housing, per MGL Chapter 44B.
- (d) After receiving a project funding recommendation from the CPC, Town Meeting may approve appropriations from the Community Preservation Fund for an amount up to and including that recommended by the CPC; may vote not to appropriate the recommended funds; or may refer the funding recommendation to the CPC for reconsideration.

#### **Section 4 Administration and operations**

In response to the annual program budget proposed by the CPC, Town Meeting shall make appropriations from the Community Preservation Fund as it deems necessary for the CPC's administrative and operating expenses, including staffing per Article 24 of the Natick Town Bylaws. Such appropriations shall not exceed five (5) percent of the annual revenues in the Community Preservation Fund, and may be augmented by additional Town funds.

#### **Section 5 Amendments**

The provisions of this Article shall be interpreted and applied at all times consistently with the provisions of Chapter 44B of the General Laws, as Chapter 44B may be from time to time amended, and with the provisions of any relevant general or special law.

The CPC shall, from time to time, review the administration of this bylaw, making recommendations, as needed, for changes in the bylaw and in administrative practice to improve the operations of the CPC.

#### **Section 6 Severability**

In case any section, paragraph or part of this Bylaw be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

### **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

Mr. Jamie Errickson presented that this is a continuation of the Community Preservation Act (CPA) which was approved by the voters at the fall election. We are now obligated to create a set of bylaws in the town bylaws to govern the CPA.

Ms. Claire Rundelli shared that she is the Conservation Agent and Open Space Planner for the Town. As mentioned, the Town voted to adopt the Community Preservation Act in the fall election last year. Per MGL, Chapter 44 B, which is the Community Preservation Act legislation, we now need to establish a Community Preservation Committee in order to review applications for funding through the Community Preservation Act and to recommend projects to Town Meeting for approval of that funding. As a reminder, the CPA surcharge won't go into effect until FY 2024. So we have no funding currently being received by the town. We are trying to stay ahead of this so that once the funding comes in, by this time next year, we would have this worked out.

This Committee will be responsible for reviewing funding requests for the Community Preservation Act funds, and will recommend projects for funding to Town Meeting. Anyone can request funding through the Community Preservation Act funds, as long as it meets the criteria in an available funding category. Categories include open space, historic preservation, recreation and affordable housing. A minimum of

10% of the funds generated each annual fiscal year by the surcharge must be spent in one of the categories. Additional funding can be set aside by recommendation of the committee to Town Meeting for projects where the full funding is not yet available. So for example, if we know a project is going to need a million dollars of funding, but we only have \$500,000 available less the remaining projects that are recommended for that year, that value can be recommended to be set aside for the project and added to in future years.

The committee is formed of nine members. Five of those nine members are statutory appointments from existing boards and committees like the Conservation Commission, the Recreation and Parks Commission, the Natick Housing Authority, the Historical Commission and the Planning Board. The four remaining members are appointed by the Select Board. Member terms are limited to three years, and total service on the committee is limited to 12 years, so four terms total.

The Town plans to support the Committee through a full time staff member in the Community and Economic Development Department. The budget for that staff person is in the FY 24 budget that is going before Town Meeting. The funds for that position will become available starting in January of the upcoming year. If the town chooses not to fund that position, 5% of the funds that are acquired each year through the CPA surcharge can go towards the administration of the bylaw, but it is capped at 5%.

#### Questions from the Committee:

A member asked how the first five members were selected. Ms. Rundelli stated that the individuals would come from the Conservation Commission, the Recreation and Parks Commission, the Natick Housing Authority, the Historical Commission and the Planning Board.

A member asked if, in order to be considered for an affordable housing project, whether the property would have to be purchased by the CPA funds for this type of project. Ms. Rundelli stated that the CPA funds cannot be used to rehabilitate an existing affordable housing property that the town owns. It can only be used to rehabilitate affordable housing that has been purchased with CPA funding.

A member asked if there is a time limit as to when the Select Board has to fill an opening or vacancy. Ms. Rundelli shared the bylaw states that positions shall be filled within 60 days.

A member asked if the committee will require additional funding or budget for operating expenses. Ms. Rundelli shared that this committee will be supported by a staff person within the Community and Economic Development department. We assume that small costs like printing or office supplies would come out of that budget, and if necessary, up to 5% of the annual funds acquired can be put towards the administration of the committee and the bylaw.

A member asked about the budget for the full time person and how much is in the budget for that position. Mr. Errickson shared that for FY 24, the proposal is to partially fund the position for half the year, since funding for CPA won't start to be collected until July 1st. The plan is to have a better analysis of the cost of the position, as well as CPA funding to potentially offset some of the cost of the position, for FY 25, as we will have a better sense of funds once funding starts coming in.

A follow up question was asked if we know how much is budgeted for that position. Ms. Rundelli believes it was around \$55,000 and again, the full amount will be reassessed once the team has a full understanding of what will be coming in under the CPA to offset staffing costs. A member later corrected that the amount was in the budget book and is currently \$35,700 budgeted for FY 24.

A member asked about the 10% of funds that must be set aside and about three categories, when reference was made to four categories. Ms. Rundelli clarified that open space and recreation are combined as one spending category, but technically the regulations on use of those funds are separated out into two categories. So for three categories, 30% of total funds.

A member asked how the money budgeted would get approved and what we are estimating. Ms. Rundelli shared that it was estimated in a study leading up to the vote on adopting the CPA, that the town would bring in, accounting for the state match funding, between \$1.1 - \$1.4 million a year as a rough calculation. As a reminder, the committee cannot spend the money. The committee can only recommend that Town Meeting allocate the money for specific projects. So the Finance Committee would review those recommendations as they review any recommendation before Town Meeting.

A member asked what happens if the funding is not used or earmarked for a future accumulation. Does it accumulate? Ms. Rundelli said yes, it can accumulate. It does not ever fall to free cash. The funds are dedicated to the three spending categories mentioned.

A member asked about what defines open space. Ms. Rundelli shared that open space refers to lands that are currently protected under Article 97, which for the most part, are lands that are conserved for open space and recreation purposes only.

A member asked if there was any mechanism by which some entity can, with these funds, acquire properties to renovate and rehab them. Ms. Rundelli shared that if the properties are acquired using CPA funds, and say the town or a nonprofit organization does not currently own those units, and those units are acquired with CPA funding, then CPA funding can also be used to rehabilitate them. There is not currently a way to use CPA funding to renovate units that are already owned by an entity.

A member asked, as part of open space, does that include things like areas of downtown. Ms. Rundelli shared that there are no projects currently lined up for funding mostly because we don't know exactly what the funding will be yet. And in Natick Center, the green space and gazebo are under the control of the Recreation and Parks Authority. So if the improvements were for the purpose of recreation, walking pads and things like that, this funding could be used to rehabilitate that space.

A member asked about funding for housing. When it says acquired or created with the CPA money, does it have to be all CPA money? Or could it be \$50,000 of CPA out of a \$1,000,000? Mr. Errickson said partially, yes. A lot of communities utilize the CPA like a local match or offset to some of the cost of an affordable housing project that might be done by a nonprofit. Some examples are a current project proposed in Westboro that includes rehabilitation of a historic property that is going to be completed by a community development corporation. My understanding is that these can be used as a component of a local match to help fund a larger project.

A member asked if funding can be used for reservation of a building like a call center for example. Mr. Errickson said he doesn't believe funding has to go to a historic structure, so he would have to check but renovation of the call center could potentially be included. Ms. Rundelli confirmed that buildings could provide recreational opportunities such as a gym, museum, court, and other purposes like that.

A member asked if this article has been reviewed by Town Counsel. Ms. Rundelli confirmed, yes. She added there is a Community Preservation Coalition, which is a statewide group that actually compiles all of the bylaws from every community that has adopted the CPA, and they provide a template bylaw. Our article is a combination of the template bylaw, some language from the Newton Community Preservation ordinance and some edits from town staff and our legal counsel.

~~ END OF ARTICLE ~~

**ARTICLE 21**  
**Charter and ByLaw Review Committee Report and Counsel**  
**(Charter and By-Law Review Committee)**

**ARTICLE LANGUAGE**

“To see what action the Town will take to hear and to discuss a report of the Charter and ByLaw Review Committee,

To see what action the Town Meeting will take to authorize and direct retention of special counsel to assist the Charter and ByLaw Review Committee and

To see what sums of money the Town will raise, transfer or appropriate for the purpose of such special counsel

Or otherwise act thereon.”

**PURPOSE OF THE ARTICLE**

To hear and discuss the report from the Charter and Bylaw Review Committee, to authorize the Committee to retain specialty legal counsel, and to fund that counsel.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTIONS A & B**

Presenters: Mr. Paul Griesmer and Ms. Christine Weithman of the Charter and Bylaw Review Committee (CBRC)

The presenters explained the purpose and process of the Charter and Bylaw Review Committee. Natick's Charter requires periodic review of both the Charter and Bylaws. This review is done by a Committee appointed by the Town Moderator within five years of the previous Review Committee's dissolution, which was May 3, 2018. The Committee's charge is to review all sections of both the Charter and Bylaws.

In addition to hearing and discussing the Committee's report, the Committee seeks authority to hire and fund engagement of legal counsel specifically devoted to the Committee's charge. The presenters detailed reasons for seeking independent specialty legal counsel:

1. Current Town Counsel is a generalist, and the Committee feels that more specialized advice would be of benefit.
2. Current Town Counsel's time is currently divided among all Town departments and covers all legal issues. It can be challenging to get time devoted to Committee matters.
3. Special Counsel may provide a fresh set of eyes and a new perspective.

4. One of the issues being reviewed by the Committee is the structure of Town Counsel services – and an independent review may be of value.

#### Questions from the Committee

A member asked if the special counsel came from within the town counsel's firm would we lose some of the benefit of getting a fresh perspective. Mr. Griesmer answered that one of the issues that we have identified in the Charter is that the Select Board appoints a town counsel in the singular. And we feel that it's appropriate to take a look at whether the town should have multiple counsel roles. Possibilities include one for zoning and land use to advise Planning Board and ZBA or perhaps one for employment matters and union contracts or procurement. Maybe even an internal person if they have the legal expertise.

A member asked how the budget of \$50,000 was derived. Mr. Griesmer explained that the amount was a best estimate, based on history and scope of work and conversations with three law firms that submitted a previous RFP to be the town's counsel.

### **FINANCE COMMITTEE RECOMMENDATION – MOTION A**

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION A<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>11-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>March 28, 2023</b>   |

#### **MOTION A (Requires a Majority Vote)**

Move that the town vote to hear and to discuss a report of the Charter and ByLaw Review Committee.

### **FINANCE COMMITTEE RECOMMENDATION – MOTION B**

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION B<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>11-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>March 28, 2023</b>   |

#### **MOTION B (Requires a Majority Vote)**

Move that the town vote to authorize and direct the retention of special counsel to assist the Charter and ByLaw Review Committee and to appropriate the sum of \$50,000 from free cash for this purpose to be expended under the direction of the Charter and ByLaw Review Committee.

~~ **END OF ARTICLE** ~~

**ARTICLE 22**  
**Disposition of 0 Shore Terrace and 4 Pine Ridge Road**  
**(Select Board)**

**ARTICLE LANGUAGE**

To see if the Town will vote to authorize the Select Board to convey through sale or lease, all or a portion of town-owned land located at 0 Shore Terrace (Assessors Map No. 21-00000013) and 4 Pine Ridge Road (Assessors Map No. 21-00000026) on any terms and conditions established by the Select Board deemed appropriate in the best interests of the Town. Said real estate disposition shall be completed in compliance with General Law Chapter 30B to the extent applicable, and further the Select Board and other town officials shall be authorized to take all actions necessary to carry out this Article, or otherwise act thereon.

Said land is described as all or a portion of land situated in the Town of Natick, in the County of Middlesex, State of Massachusetts, more particularly described in deeds recorded in the Middlesex South Registry of Deeds, Book 7086, Page 478 for 0 Shore Terrace and Book 12943, Page 390 for 4 Pine Ridge Road. The Town's interest in the parcels are set forth in a Judgment in Tax Lien Case, recorded at Book 71741, Page 598, Middlesex South Registry of Deeds.

**PURPOSE OF THE ARTICLE**

To sell property the Town owns and acquired through Tax Title that currently sits vacant and in disrepair. This is parcel located in a single-family zoning district with no public (town) need and can be redeveloped as a single-family property for the benefit of the neighborhood and the Town.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>11-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 28, 2023</b>   |

### **MOTION (Requires a 2/3 Vote)**

Move to authorize the Select Board to convey through sale or lease, all or a portion of town-owned land located at 0 Shore Terrace (Assessors Map No. 21-00000013) and 4 Pine Ridge Road (Assessors Map No. 21-00000026) on any terms and conditions established by the Select Board deemed appropriate in the best interests of the Town. Said real estate disposition shall be completed in compliance with General Law Chapter 30B to the extent applicable, and further the Select Board and other town officials shall be authorized to take all actions necessary to carry out this motion.

Said land is described as all or a portion of land situated in the Town of Natick, in the County of Middlesex, State of Massachusetts, more particularly described in deeds recorded in the Middlesex South Registry of Deeds, Book 7086, Page 478 for 0 Shore Terrace and Book 12943, Page 390 for 4 Pine Ridge Road. The Town's interest in the parcels are set forth in a Judgment in Tax Lien Case, recorded at Book 71741, Page 598, Middlesex South Registry of Deeds.

### **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee met on March 28th to discuss Article 22 and voted Favorable Action 11-0-0. Jaime Errickson, Town Administrator, presented.

Mr. Errickson explained that this Article seeks approval from Town Meeting to allow the Select Board to dispose of parcels at 0 Shore Terrace and 4 Pine Ridge Road that were acquired by the Town through the tax title process. This occurs when a property owner does not pay their taxes for a long time. The Town can try to collect the back taxes or acquire the property through tax title. It is a very lengthy court process.

Mr. Errickson shared a map (shown below) with the two parcels that combine to form one property. They are effectively one property because they have been in common ownership for a while. He also stressed that this is a rare occurrence, because the Town does not have many properties in tax title status. In Mr. Errickson's opinion, it is important that the Town dispose of the property as soon as possible so that it can get back onto the tax roll.

Mr. Errickson mentioned that abutting property owners have reached out to the Town to address concerns about the overgrown parcels and the structures on them. They are currently safe from a public health perspective, but they are not in good shape and they will continue to deteriorate.

Mr. Errickson also explained the steps of disposing of the parcels. If authorized by Town Meeting, the Select Board will go through an RFP process to choose a buyer. The buyer would be selected based on the criteria of the RFP and at a price dictated by the current real estate market. He described the property (the two combined parcels) as a single family lot in a single family neighborhood. It is also located close to the Wellesley Town line.

Finally, Mr. Errickson stated that the language in the motion of this Article follows the same language found in previous articles to request Town Meeting to authorize the Select Board to dispose of other properties and it has been reviewed by Town Counsel.

### Questions from the Committee

A member asked if the parcels are developable as of right and conform to zoning requirements. Mr. Errickson stated that the parcels are in a single family zone and that a house - though it is not currently inhabited - is on the property. Depending on the proposal, there might be requests to have findings depending on the location of a proposed structure on the property. It may need some criteria for waiver of a setback requirement of some type which would require it to go before the Zoning Board of Appeals. However, in his opinion, it is viable for a single family development. The member followed up by asking if a neighbor had inquired about acquiring the property. Mr. Errickson stated that he was not aware of any interest but encouraged any interested parties to seek to purchase the property by submitting a proposal.

A member asked if there was any possibility for the previous owner to reacquire the property from the Town. Mr. Errickson explained that throughout the tax title process there are opportunities for the previous owner. However, in this case, these parcels have gone through the entire tax title process and through the courts. It belongs to the Town and the previous owner cannot reacquire the property without submitting a proposal to the RFP. Mr. Errickson also noted that the Town had considered if the parcels could be used to fulfill some Town need - like a sewer pump station or for access to something - and it was decided that they could not.

A member asked what the process is for coming up with an RFP for a property like this. Mr. Errickson explained that there is a lot of flexibility and latitude for the Select Board to select the criteria as long as it is done in a public way and everyone understands the conditions and is able to submit a proposal.

A member asked how affordable housing could play into the disposing of this property. Mr. Errickson explained that the criteria in the RFP will determine the level of interest from affordable housing developers. He was not aware of any strong affordable housing interest in this property. He commented, due to the need for subsidies, a lot of affordable housing developers tend to develop larger projects than single family homes.

A member asked to clarify which parcel was which on the map. Mr. Errickson clarified that the orange parcel is 0 Shore Terrace and the blue parcel is 4 Pine Ridge Road. The member followed up by asking if the small sliver of a triangle next to 0 Shore Terrace is in Natick and does it belong to the Town. Mr. Errickson confirmed that it is in Natick and that it is in tax title status. At a future point it could be disposed of as well through an RFP process.



~ END OF ARTICLE ~

**ARTICLE 23**  
**Amend the Town of Natick By-Law 79A**  
**(Conservation Commission)**

**ARTICLE LANGUAGE**

To see if the Town will vote to amend the existing Stormwater and Erosion Control Bylaw, as codified in Article 79A of the Natick Town Bylaws, to improve the Town's regulation of land disturbance activity, and streamline the administration of the Bylaw.

**PURPOSE OF THE ARTICLE**

To update the Stormwater and Erosion Control Bylaw voted at the 2019 Fall Town Meeting. After two years of implementation, Town staff are proposing some amendments to the bylaw to further improve the resiliency benefits of the bylaw and streamline the administration of stormwater management efforts for staff and applicants.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>13-0-0</b>           |
|                                                  | DATE VOTED:      | <b>March 21, 2023</b>   |

## **MOTION (Requires a Majority Vote)**

Move that the Town vote to amend Article 79A of the Town Bylaws to improve the Town's regulation of land disturbance activity, and streamline the administration of the Bylaw Delete Section 1 through Section 14 in their entirety and replace with the following text in its entirety:

### **Article 79A of the Town of Natick By-Laws: Stormwater Management and Erosion Control**

#### **Section 1 Purpose**

A. Increased volumes of Stormwater, contaminated Runoff from Impervious Surfaces, and Soil Erosion and Sedimentation are major causes of:

- 1) impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater;
- 2) contamination of drinking water supplies;
- 3) Erosion of stream channels;
- 4) alteration or destruction of aquatic and wildlife habitat;
- 5) flooding; and,
- 6) overloading or clogging of municipal catch basins and storm drainage systems.

The United States Environmental Protection Agency has identified Sedimentation from Land Disturbance activities and polluted Runoff from land development and redevelopment as major sources of water pollution, impacting drinking water supplies, natural habitats, and recreational resources. Regulation of activities that result in the Disturbance of Land and the creation of Runoff is necessary for the protection of the water bodies and groundwater resources within the Town of Natick, to safeguard the health, safety, and welfare of the general public and protect the natural resources of the Town.

B. The objectives of this By-Law are to:

- 1) protect water resources;
- 2) require practices that minimize or eliminate Erosion and Sedimentation and maintain Sediment on construction sites;
- 3) control the volume and rate of Stormwater resulting from Land Disturbance Activities in order to minimize potential impacts of flooding;
- 4) require practices to manage and treat Runoff generated from new development and redevelopment, with a preference for Low Impact Development techniques;
- 5) promote infiltration and the recharge of groundwater;
- 6) maximize recharge of groundwater in the Natick Aquifer Protection District as defined by Section III-A.5 of the Natick Zoning By-Law;
- 7) ensure that Erosion, Sedimentation, and Runoff are minimized through Site planning, design and implementation;
- 8) ensure adequate long-term operation and maintenance of Best Management Practices;
- 9) require practices to control Construction and Waste Materials that may cause adverse impacts to water quality;
- 10) comply with state and federal statutes and regulations, including the Municipal Separate Storm Sewer System (MS4) Permit, relating to Stormwater discharges; and
- 11) establish the Town of Natick's legal authority to ensure compliance with the provisions of this By-Law through inspection, monitoring and enforcement.

## **Section 2            Definitions**

For the purposes of this By-Law, the following shall mean:

**ALTERATION OF DRAINAGE CHARACTERISTICS:** Any activity on an area of land that changes the water quality, or the force, quantity, direction, timing or location of Runoff flowing from the area. Such changes include: change from distributed Runoff to confined, discrete discharge; change in the volume of Runoff from the area; change in the peak rate of Runoff from the area; and change in the recharge to groundwater on the area.

**APPLICANT:** Any Person requesting a Stormwater and Erosion Control Permit.

**APPLICATION:** A standard form for application as issued by the Conservation Commission and any other documentation, which shall include, but shall not be limited to, plans, charts, drawings, specifications, narratives, or any other documents or pieces of information required by applicable federal, state or local laws, rules and/or regulations, submitted in connection with a Stormwater and Erosion Control Permit, as applicable, and as defined in the regulations promulgated by the Conservation Commission in support of this By-Law.

**AUTHORIZED ENFORCEMENT AGENCY:** Conservation Commission and its employees or Designated Agent.

**BEST MANAGEMENT PRACTICE (BMP):** Structural, non-structural and managerial techniques that are recognized to be the most effective and practical means to prevent or reduce the quantity of, or improve the quality of Runoff.

**CONSTRUCTION AND WASTE MATERIALS:** Excess or discarded building or Site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction Site.

**CLEARING:** Any activity that removes the vegetative surface cover.

**DESIGNATED AGENT:** The Conservation Agent or any person or entity designated by the Conservation Commission to assist in the administration, implementation and enforcement of this By-Law and its regulations. The designation of a person or entity other than the Conservation Agent shall be made in writing upon a majority vote of the Conservation Commission.

**DRAINAGE FACILITY:** Any constructed or engineered feature that collects, conveys, stores, treats, or otherwise manages Stormwater or surface water, or any land and improvements thereon, if altered for the purpose of conveyance, storage or infiltration.

**ENVIRONMENTAL SITE MONITOR:** A registered and professional engineer (P.E.) or other trained professional selected by the Conservation Commission and retained by the holder of a Stormwater and Erosion Control Permit to periodically inspect the work and report to the Conservation Commission or Designated Agent, as applicable.

**EROSION:** The wearing away of the ground surface by natural or artificial forces and the subsequent detachment and transportation of Soil.

**GRADING:** Changing the level or shape of the ground surface.

**GRUBBING:** The act of Clearing ground surface by digging or grinding up roots and stumps.

**IMPERVIOUS SURFACE:** Any material or structure on or above the ground that prevents water infiltrating the underlying ground. Impervious Surface includes, without limitation, roads, paved parking lots, sidewalks, and rooftops. Impervious Surface also includes Soils, gravel driveways, and similar surfaces with a Runoff coefficient (Rational Method) greater than 85.

**LAND-DISTURBING ACTIVITY or LAND DISTURBANCE:** Any activity, including, without limitation, clearing, grubbing, grading, digging, cutting, removal of vegetation or trees, excavation, placement of fill, resurfacing and construction that causes a change in the position or location of Soil or a change in the patterns of drainage and/or infiltration of water. This may include the demolition of existing structures and site features, along with any site prep required for new construction.

**LOW IMPACT DEVELOPMENT (LID):** A comprehensive land planning and engineering design strategy that seeks to maintain a Site's pre-development ecological and hydrological function through the protection, enhancement, or mimicry of natural processes. LID systems and practices emphasize reduction of effective imperviousness and conservation and use of existing natural Site features integrated with distributed small-scale Stormwater controls to result in the treatment, infiltration, evapotranspiration, and/or use of Stormwater close to its source.

**LOT:** A single parcel of land held in identical ownership throughout and defined by metes, bounds, or boundary lines in a recorded deed or on a recorded plan.

**MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS:** The Standards issued by the Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act M.G.L. c. 131 §40 and the Massachusetts Clean Waters Act M.G.L. c. 21, §§ 23-56, and any successor statutory provision.

**MUNICIPAL STORM DRAIN SYSTEM or MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4):** The system of conveyances designed or used for collecting or conveying Stormwater, including, without limitation, any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town.

**OWNER:** A Person with a legal or equitable interest in property.

**PERMITTEE:** The Person who holds a Stormwater and Erosion Control Permit.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**POINT SOURCE:** Any discernible, confined, and discrete means of conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

**PRE-CONSTRUCTION:** All activity in preparation for construction.

**RESPONSIBLE PARTIES:** Owner(s), Persons with financial responsibility, Persons with operational responsibility, or Persons with administrative responsibility.

**RUNOFF:** Rainfall, snowmelt or irrigation water flowing over the ground surface.

**SEDIMENT:** Mineral or organic Soil material that is transported by wind or water, from its origin to another location; the product of Erosion processes.

**SEDIMENTATION:** The process or act of deposition of Sediment.

**SITE:** Any lot or parcel of land or area of property where Land-Disturbing Activities are, were, or will be performed.

**SOIL:** Any earth, sand, rock, stone, gravel, loam, clay, sod, fill, mineral products, eroded matter or similar material.

**STABILIZATION:** The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or slow down Erosion.

**STORMWATER:** Runoff from precipitation, snowmelt or drainage.

**STORMWATER AND EROSION CONTROL PERMIT:** A Major Stormwater and Erosion Control Permit or a Minor Stormwater and Erosion Control Permit issued by the Authorized Enforcement Agency, after review and approval of an Application, which is designed to protect the environment of the Town from the effects of uncontrolled and untreated Runoff, as defined in Section 4 herein.

**WETLANDS:** Freshwater wetland, marsh, bog, wet meadow and swamp as defined in M.G.L. c. 131, §40, the Town of Natick Wetland Protection By-Law, or any successor statutory provision.

### **Section 3      Authority**

This By-Law is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and the regulations of the Federal Clean Water Act (found at 40 CFR 122.34 published in the Federal Register on December 8, 1999, as amended). No change to the aforementioned regulations should affect the validity of this By-Law.

### **Section 4      Applicability**

This By-Law shall apply to any Land-Disturbing Activity within the jurisdiction of the Town, including, but not limited to, any activities that require permits through the Town. The Conservation Commission retains the right to oversee and review all matters relating to Land-Disturbing Activities within the Town of Natick, and may promulgate and enforce guidelines, regulations and standards relevant thereto.

A. This By-Law shall apply to land or parcels of land held in common ownership (including, but not limited to, ownership by related or jointly-controlled Persons or entities), if the total Land-Disturbing Activities on said land or parcels, considered as a whole, would presently or ultimately exceed the minimum thresholds in Section 4.C and are not exempted by Section 4.D, and no such activity, including demolition, shall commence until a Stormwater and Erosion Control Permit under this By-Law has been issued. Land Disturbing Activities shall not be segmented or phased in a manner to avoid compliance with this By-Law. Any changes to proposed work that

occur in the field must be reviewed and approved by Town Staff prior to implementation to ensure no amendments are required to the permit.

**B. Permit Thresholds** - A Stormwater and Erosion Control Permit shall be required for any of the following, except for an activity exempt per Section 4.D:

- 1) Administrative Approval Permit
  - (a) Any single-family home project consisting of new construction on previously undeveloped land, or reconstruction (involving the demolition of an existing structure and construction of a new structure) must provide stormwater infiltration for the first (1) inch of runoff from all impervious areas.
- 2) Minor Stormwater and Erosion Control Permit
  - (a) For projects other than those described in Section 4.C.1, any Land Disturbance greater than 3,000 square feet, but not exceeding 20,000 square feet.
  - (b) The construction of a new Drainage Facility or alteration of an existing Drainage Facility greater than 3,000 square feet, but not exceeding 20,000 square feet.
  - (c) The addition, on-Site redistribution or export of fill, greater than or equal to 250 cubic yards, but not exceeding 999 cubic yards, of Soil, and not associated with projects described in Section 4.C.1.
- 3) Major Stormwater and Erosion Control Permit
  - (a) For projects other than those described in Section 4.C.1, any Land Disturbance greater than 20,000 square feet.
  - (b) The construction of a new Drainage Facility or alteration of an existing Drainage Facility greater than 20,000 square feet.
  - (c) The addition, on-site redistribution, or export of fill greater than or equal to 1000 cubic yards of Soil, and not associated with projects described in Section 4.C.1.

**C. Exempt Activities** - The following activities are exempt from the requirements of this By-Law, provided that appropriate Best Management Practices are used:

- 1) Normal maintenance and improvement of land in agricultural use as defined by the Wetland Protection Act 310 CMR 10.00 and G.L.c. 40A, §3, and any successor regulatory or statutory provision.
- 2) Reasonable and ordinary maintenance of existing lawn, landscaping, or gardens areas, provided such maintenance does not include the addition of more than -250 cubic yards of soil material, construction of walls greater than one foot in height, alteration of existing grades by more than one foot in elevation, or alteration of drainage patterns.
- 3) Repair or replacement of damaged roofs
- 4) Renovation of a single-family dwelling that does not expand beyond the dwelling's existing footprint.
- 5) Repair of septic systems when required by the Board of Health.
- 6) Construction of fencing that will not alter existing terrain or drainage patterns.
- 7) Construction of utilities other than drainage (gas, water, electric, telephone, etc.) that will not alter terrain, ground cover or drainage patterns.
- 8) Projects wholly within the jurisdiction of the Conservation Commission and require an Order of Conditions, which will still be subject to the stormwater management and erosion control practices required under the Regulations.

- 9) Any logging that is consistent with a Forest Cutting Plan approved under the Forest Cutting Practices Act by the Massachusetts Department of Conservation and Recreation.
- 10) The maintenance or reconstruction of any public way, in accordance with Town policy developed by the Natick Board of Selectmen and Conservation Commission.
- 11) The temporary stockpiling of Soil by a landscaper, excavator, or similar commercial enterprise for reuse elsewhere, so long as erosion and sediment control BMPs are used.

## **Section 5 Administration**

A. The Conservation Commission shall administer, implement and enforce this By-Law. Any powers granted to or duties imposed upon the Conservation Commission through this By-Law, to the extent allowed by law, may be delegated in writing to its Designated Agent.

B. Stormwater and Erosion Control Permits shall be issued as follows:

- 1) Administrative approvals for single-family home projects shall be issued as part of the Engineering Division review of building permit applications, but shall require consultation with the Designated Agent of the Conservation Commission.
- 2) Minor Stormwater and Erosion Control Permits shall be issued by the Designated Agent of the Conservation Commission. Review by the Conservation Commission is not required.
  - (a) The Applicant shall submit an Application, fees, and any other permit submission requirements, as specified in this By-Law or the regulations of this By-Law, and shall also comply with any requirements of the Designated Agent.
  - (b) The Designated Agent shall review the submittal for compliance with this By-Law and the By-Law's regulations. The Designated Agent shall take an Action as specified in Section 7.H. of this By-Law.
  - (c) Additional permit procedures and requirements shall be defined and included as part of any rules and regulations promulgated under Section 6 of this By-Law.
- 3) Major Stormwater and Erosion Control Permits shall be reviewed and issued by the Conservation Commission.
  - (a) The Applicant shall submit an Application, fees, and any permit submission requirements, specified in this By-Law or the regulations for this By-Law, and shall also comply with any requirements of the Conservation Commission.
  - (b) The Conservation Commission shall review the submittal for compliance with this By-Law and the By-Law's regulations as part of the Conservation Commission's public hearing process on the proposed project. The Conservation Commission shall take an Action as specified in Section 7.H. of this By-Law.
  - (c) Additional permit procedures and requirements shall be defined and included as part of any rules and regulations promulgated under Section 6 of this By-Law.

## **Section 6 Regulations**

The Conservation Commission may adopt, and periodically amend rules and regulations to effectuate the purposes of this By-Law. Failure by the Conservation Commission to promulgate such rules and regulations shall not have the effect of suspending or invalidating this By-Law.

## Section 7                      Permits

Permit issuance or project approval is required prior to any work described in Section 4.C and 4.D., or as otherwise specified in this By-Law. The Site Owner or his agent shall apply for the permit with the Conservation Commission when necessary, or include the appropriate materials with the Building Permit application. While an Application may be submitted by a representative, the Permittee must be the Owner of the Site.

A.        **Applications** - An Application shall be made to the Conservation Commission in a form and containing information as specified in this By-Law and in the regulations adopted by the Conservation Commission. Applications for Major Stormwater and Erosion Control permits also require distribution to the Department of Public Works, and the Board of Health for review and comment, and shall be accompanied by certification of delivery to these Town entities when submitted to the Conservation Commission.

B.        **Fees** - Fees shall be established by the Conservation Commission to cover expenses connected with public notice, Application review, and monitoring permit compliance. The fee shall be sufficient to also cover professional review. The Conservation Commission or Designated Agent is authorized to retain a registered professional engineer or other professional consultant to advise the Commission on any or all aspects of these plans. Applicants must pay review fees before the review process may begin. The Applicant for a Stormwater and Erosion Control Permit may be required to cover the costs of the consultant through an account established pursuant to M.G.L. c. 44, §53G, and any successor statutory provision.

C.        **Information Requests** - The Conservation Commission or Designated Agent may request such additional information as is necessary to determine whether the proposed Land-Disturbing Activity will protect water resources and comply with the requirements of this By-Law.

D.        **Determination of Completeness** - The Conservation Commission or Designated Agent shall make a determination as to the completeness of the Application and adequacy of the materials submitted. No review shall take place until the Application has been found to be complete.

E.        **Coordination with Other Town Entities** – Applications for Major Stormwater and Erosion Control permits require distribution to the Department of Public Works and the Board of Health as noted in Section 7.A. These Town entities shall, in their discretion, investigate the case and report their recommendations to the Conservation Commission. The Conservation Commission shall not hold a hearing on the Major Stormwater and Erosion Control Permit until 1) receipt of reports from Town entities or 2) twenty (20) calendar days after the distribution of the Major Stormwater and Erosion Control Permit Application, whichever occurs first.

F.        **Entry** - Filing an Application for a Stormwater and Erosion Control Permit grants the Conservation Commission or Designated Agent permission to enter the Site to verify the information in the Application and to inspect for compliance with permit conditions, to the extent permitted by law.

G.        **Hearing** - Within thirty (30) calendar days of receipt of a complete Application for a Major Stormwater and Erosion Control Permit, the Conservation Commission shall hold a public hearing. Notice of the public hearing shall, at least seven (7) calendar days prior to said hearing, be given by publication in a paper of general circulation serving the Town of Natick, and by posting the notice at the Town Hall. The Conservation Commission shall be responsible for such public notice as described above. The Conservation Commission shall make the Application available for inspection by the public during business hours at the Town of Natick's Conservation Office.

H.        **Action and Appeal Process**

1)        **Administrative Approval Permit**

- (a) **Action** – The approval permit for single-family home projects must coincide with the approval timeline for building permits, with any comments or information requests communicated to the applicant within ten (10) business days (Saturdays, Sundays and legal holidays excluded) of the application submission.
  - i. The stormwater management features (e.g., site grading, surface and subsurface infiltration features, etc.) and proposed calculations demonstrating volume capacity must be included on plans submitted for the building permit application, at which point Engineering Division staff will approve or reject the stormwater management features as part of the building permit review performed.

## 2) **Minor Stormwater and Erosion Control Permit**

- (a) **Action** – The Application for a Minor Stormwater and Erosion Control Permit shall be acted upon within ten (15) business days (Saturdays, Sundays and legal holidays excluded) of the date the Designated Agent determines the Application is complete, unless such Application has been withdrawn from consideration. The Designated Agent may:
  - i. **Approve the Application and issue a permit** if it finds the proposed plan meets the objectives of and complies with the requirements of this By-Law;
  - ii. **Approve the Application and issue a permit with conditions, modifications and/or restrictions** that the Designated Agent determines are required to ensure the project will meet the objectives of and comply with the requirements of this By-Law;
  - iii. **Disapprove the Application and deny a permit** if the Designated Agent finds that the proposed plan fails to meet the objectives of or to comply with the requirements of this By-Law or if the Designated Agent finds that the Applicant has submitted insufficient information to confirm the proposed plan meets the objectives of and complies with the requirements of this By-Law; or
  - iv. **Determine that a Minor Stormwater and Erosion Control Permit is inappropriate and require a different permit, approval, or no permit** in accordance with the permit thresholds listed in Section 4.C.

### (b) **Appeal of Disapproved Applications**

- i. The Applicant may modify the Application to meet the objectives of and comply with the requirements of this By-Law and resubmit it to the Designated Agent.
- ii. The Applicant may appeal a permit denial by the Designated Agent by requesting the Conservation Commission review the Application. Such review shall take place with a public hearing as described in Section 7.G. and shall be subject to any review fees or additional submittal requirements as specified in the regulations for this By-Law.

## 3) **Major Stormwater and Erosion Control Permit**

- (a) **Action** – The Conservation Commission shall take action on a Major Stormwater and Erosion Control Permit within thirty (30) calendar days from the close of a public hearing as described in Section 7.G, unless such time is extended by agreement between the Applicant and the Conservation Commission. The Conservation Commission shall take one of the following actions:
  - i. **Approve the Application and issue a permit** if it finds that the proposed plan will meet the objectives of and complies with the requirements of this By-Law;

- ii. **Approve the Application and issue a permit with conditions, modifications and/or restrictions** that the Conservation Commission determines are required to ensure that the project will meet the objectives of and comply with the requirements of this By-Law;
- iii. **Disapprove the Application and deny a permit** if it finds that the proposed plan fails to meet the objectives of or to comply with the requirements of this By-Law or that the Applicant has submitted insufficient information to confirm the proposed Application meets the objectives of and complies with the requirements of this By-Law; or
- iv. **Determine that a Major Stormwater and Erosion Control Permit is inappropriate and require a different permit or no permit** in accordance with the permit thresholds listed in Section 4.C.

The Permittee, or his or her agent, must notify the Conservation Commission or Designated Agent in writing of any change or alteration of a Land-Disturbing Activity before the change or alteration occurs. If the Conservation Commission or Designated Agent determines that the change or alteration is significant, based on the design requirements listed in the regulations adopted by the Conservation Commission under this By-Law, the Conservation Commission or Designated Agent may require that an amended Application or a full Application be filed in accordance with Section 7. If any change or alteration from the Stormwater and Erosion Control Permit occurs during Land-Disturbing Activities, the Conservation Commission or Designated Agent may require the installation of interim Erosion and Sedimentation control measures before approving the change or alteration. This shall not affect any other obligations the Applicant shall have under M.G.L. c. 121, §40, the Natick Wetlands Protection By-Law, or any other regulation pertinent, or any successor statutory or regulatory provision.

## Section 8                      Plans

Regulations promulgated by the Conservation Commission shall set forth the types of plans required by a Minor Stormwater and Erosion Control Permit and a Major Stormwater and Erosion Control Permit, including, but not limited to, the provisions of Sections 8A - 8D below. The information required in Section 8A-8C below may be incorporated onto a single plan sheet, but information required by Section 8D must be provided in a stand-alone document. Further requirements, including, but not limited to, circumstances in which plans must be prepared by a registered professional engineer (P.E.) or a registered professional land surveyor (PLS), may be specified by the Conservation Commission or Designated Agent; the provisions herein are not intended to be an exhaustive clarification on the specific details of plan requirements.

A.        The **Erosion and Sedimentation Control Plan** shall contain sufficient information to describe the nature and purpose of the proposed Land Disturbing Activity, pertinent conditions of the Site and the adjacent areas, and proposed Erosion and Sedimentation controls to be used during pre-construction and construction. The Erosion and Sedimentation Control Plan shall fully describe the project in drawings and narrative. The Applicant shall submit such material as is necessary to show that the proposed Land Disturbing Activity will comply with the design standards and contain the information listed in the regulations adopted by the Conservation Commission for administration of this By-Law.

B.        The **Low Impact Development (LID) Plan** shall contain sufficient information for the Conservation Commission or Designated Agent to evaluate the acceptability of: the Site planning process; the anticipated impacts of the proposed Land Disturbing Activity on the ecological and hydrological functions of the Site, including documenting any and all necessary tree removal; or any measures proposed by the Applicant to maintain ecological and hydrological functions of the Site. The LID Plan shall fully describe the project in drawings, narrative, and calculations, if applicable. The Applicant shall submit such material as is required by the regulations adopted by the Conservation Commission for the administration of this By-Law. The LID plan shall be designed to comply, to the maximum extent practicable, with all standards for LID set forth by the regulations adopted by the Conservation Commission for the administration of this By-Law.

C. The **Stormwater Management Plan** shall contain sufficient information to describe the nature and purpose of the proposed Land Disturbing Activity, pertinent conditions of the Site and the adjacent areas, and proposed BMPs for the permanent management and treatment of Stormwater. The Stormwater Management Plan shall contain sufficient information for the Conservation Commission or Designated Agent to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the Applicant for reducing adverse impacts from Stormwater. The Plan shall be designed to meet the Massachusetts Stormwater Management Standards set forth in the Massachusetts Stormwater Management Standards and DEP Stormwater Management Handbook Volumes I and II, and any other Stormwater standards set forth in the regulations adopted by the Conservation Commission for the administration of this By-Law. The Stormwater Management Plan shall fully describe the project in drawings and narrative. The Applicant shall submit such material as is required by the regulations adopted by the Conservation Commission for the administration of this By-Law.

D. **An Operation and Maintenance Plan - (O&M Plan)** for the permanent Stormwater management system is required at the time of application for all Stormwater and Erosion Control Permits. The maintenance plan shall be designed to ensure compliance with this By-Law and that the Massachusetts Surface Water Quality Standards contained in 314 CMR 4.00 or any successor regulations are met in all seasons and throughout the life of the system. The O&M Plan shall include any requirements deemed necessary by the Conservation Commission or Designated Agent. The Conservation Commission or Designated Agent shall determine what maintenance option is appropriate in a given situation. The Conservation Commission or Designated Agent will consider natural features, proximity of Site to water bodies and Wetlands, extent of Impervious Surfaces, the size of the Site, the types of Stormwater management structures, BMPs, and the potential need for ongoing maintenance when making this decision. Once approved by the Conservation Commission or Designated Agent, the O&M Plan shall be recorded at the Commonwealth of Massachusetts Middlesex South Registry of Deeds by the Permittee, shall run with the land, shall remain on file with the Conservation Commission, and shall be an ongoing requirement. The O&M Plan shall conform to the requirements listed in the regulations adopted by the Conservation Commission for the administration of this By-Law. Stormwater management easements shall be provided by the property Owner(s) in areas and as necessary to carry out the required maintenance.

#### 1) **Changes to Operation and Maintenance Plans**

- (a) The Owner(s) of the Stormwater management system must notify the Conservation Commission or Designated Agent of changes in ownership or assignment of financial responsibility.
- (b) The maintenance schedule in the O&M Plan may be amended to achieve the purposes of this By-Law by mutual agreement of the Conservation Commission and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Once the amended Plan is signed, the Conservation Commission shall file it at the Commonwealth of Massachusetts Middlesex South Registry of Deeds at the expense of the current Owner(s).

### **Section 9      Inspection and Site Supervision for Stormwater and Erosion Control Permits**

Regulations promulgated by the Conservation Commission for the administration of this By-Law shall set forth the inspection and site supervision requirements required for a Stormwater and Erosion Control Permit, including, but not limited to, the provisions of Sections 9A – 9D.

A. **Pre-Construction Meeting** - Prior to the commencement of any Land Disturbing Activity requiring a Stormwater and Erosion Control Permit, a pre-construction meeting may be required as specified in the regulations promulgated by the Conservation Commission for the administration of this By-Law. If required, the Applicant, the Applicant's technical representative, the general contractor, pertinent subcontractors, and any Person with authority to make changes to the project, shall meet with the Conservation Commission or Designated Agent to review the permitted plans and proposed implementation.

B. **Inspection** – For all projects requiring an Administrative Approval Permit under this By-Law, inspections shall occur as they would for a standard building permit process with additional required inspections of excavations for stormwater systems and installed stormwater systems prior to backfill.

For all projects requiring a Stormwater and Erosion Control Permit, the Conservation Commission or Designated Agent shall make inspections as required by the regulations promulgated by the Conservation Commission for the administration of this By-Law. The Conservation Commission or Designated Agent shall either approve that portion of the work completed or shall notify the Permittee if the work fails to comply with the approved plans and require any modifications to the work to ensure full compliance with the permit. One copy of the approved plans and conditions of approval, signed by the Conservation Commission or Designated Agent, as applicable, shall be maintained at the Site during the progress of the work. The Permittee shall notify the Conservation Commission or Designated Agent at least three (3) business days (Saturdays, Sundays and legal holidays excluded) before each of the following events:

- 1) Erosion and Sedimentation control and tree protection measures are in place and stabilized;
- 2) Site Clearing and rough Grading have been substantially completed;
- 3) Final Grading has been substantially completed;
- 4) Bury Inspection: prior to backfilling of any underground drainage or Stormwater conveyance structures;
- 5) Close of the Construction Season; and
- 6) Final landscaping (permanent Stabilization) and project final completion.

C. **Permittee Inspections** - The Permittee or the Permittee's agent shall conduct and document inspections of all control measures as required in the regulations promulgated by the Conservation Commission for the administration of this By-Law, and prior to and following anticipated storm events. The purpose of inspections will be to determine the overall effectiveness of the Erosion and Sedimentation Control plan, and the need for maintenance or additional control measures. The Permittee or the Permittee's agent shall submit reports to the Conservation Commission or Designated Agent in a frequency and format required by the regulations promulgated by the Conservation Commission for the administration of this By-Law. The Conservation Commission or Designated Agent may require, as a condition of approval, that an Environmental Site Monitor, approved by the Conservation Commission or Designated Agent, be retained by the Applicant to conduct such inspections and prepare and submit such reports to the Conservation Commission or Designated Agent.

D. **Access Permission** - To the extent permitted by law, or if authorized by the Owner or other party in control of the property, the Conservation Commission, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this By-Law and may make or cause to be made such examinations, surveys or sampling as the Conservation Commission or Designated Agent deems reasonably necessary to determine compliance with the permit.

## **Section 10            Surety for Stormwater and Erosion Control Permits**

The Conservation Commission or Designated Agent may require the Permittee to post before the start of the Land-Disturbing Activity subject to a Stormwater and Erosion Control Permit, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by town counsel, and be in an amount deemed sufficient by the Conservation Commission to ensure that the work will be completed in accordance with the permit. If the project is phased, the Conservation Commission may release part of the bond, as a proportion of the completed phase(s), but the bond may not be fully released until the Conservation Commission has received the final report as required by Section 12 and issued a certificate of compliance pursuant to Section 14.

## **Section 11            Peer Review for Stormwater and Erosion Control Permits**

The Commission, or its Designated Agent, at the commencement of its process hereunder, or at any time during a hearing may require an applicant to pay a fee for the reasonable costs and expenses incurred or to be incurred by the Commission for specific expert engineering and other consultant services that the Commission deems are necessary to enable it, or its Designated Agent, to reach a final decision on the application. The exercise of discretion by the Commission in determining whether to require the payment of fees shall be based on a reasonable finding that additional information, acquirable only through outside consultants, is necessary for the making of an informed, objective decision. The specific consultant services may include, but are not limited to, performing additional or verifying the accuracy of submitted drainage analyses; performing additional soil testing; and researching environmental, land use or other law. Any applicant aggrieved by the selection of a consultant, may appeal according to the provisions of the Mass. Gen. Laws Chp 44 Section 53G.

## **Section 12            Final Reports for Stormwater and Erosion Control Permits**

Upon completion of the work under a Minor or Major Stormwater and Erosion Control Permit, the Permittee shall submit a report certifying that all Erosion and Sedimentation control devices, elements of the Application, and approved changes and modifications, have been completed in accordance with the conditions of the approved permit. Any discrepancies should be noted in the cover letter. In addition, the final report for Minor and Major Stormwater and Erosion Control permits shall include certified as-built construction plans from a registered professional engineer (P.E.) or registered professional land surveyor.

## **Section 13            Enforcement**

A.        The Conservation Commission retains the right to oversee and review all matters relating to Land-Disturbing Activities within the Town of Natick. The Conservation Commission or Designated Agent shall enforce this By-Law, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

### **B.        Orders**

- 1) The Conservation Commission or Designated Agent may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include, but are not limited to, the following:
  - (a) a requirement to cease and desist from the Land-Disturbing Activity until there is compliance with the By-Law and/or the provisions of the Stormwater and Erosion Control Permit;
  - (b) maintenance, installation or performance of additional Erosion and Sedimentation control measures;
  - (c) monitoring, analyses, and reporting; and/or
  - (d) remediation of Erosion and Sedimentation resulting directly or indirectly from the Land-Disturbing Activity.
- 2) If the Conservation Commission or Designated Agent determines that abatement or remediation of Erosion and Sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or Owner fail to abate or perform remediation within the specified deadline, the Town of Natick may, at its option, undertake such work, and the Owner shall reimburse the Town for its expenses.

- 3) Within thirty (30) calendar days after completing all measures necessary to abate the violation or to perform remediation, the violator and the Owner shall be notified of the costs incurred by the Town of Natick, including administrative costs. The violator or Owner may file an appeal objecting to the amount or basis of costs with the Conservation Commission within thirty (30) calendar days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file an appeal within thirty (30) calendar days following a decision of the Conservation Commission affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the Owner and shall constitute a lien on the Owner's property for the amount of such costs. Interest shall begin to accrue on any unpaid costs at the statutory rate, as provided in M.G.L. c. 59, §57, or any other successor statute, after the thirty-first calendar day following the calendar day on which the costs were due.

C. **Criminal Penalty** - Any Person who violates any provision of this By-Law, regulation, order or permit issued thereunder, shall be punished by a fine of not more than \$300.00 for each offense. Each calendar day that such violation occurs or continues shall constitute a separate offense.

D. **Non-Criminal Disposition** - As an alternative to criminal prosecution or civil action, the Town of Natick may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch.. 40, §21D in which case the Conservation Commission or Designated Agent shall be the Authorized Enforcement Agency. The penalty for each violation shall be \$300.00. Each calendar day that such violation occurs or continues shall constitute a separate offense.

E. **Appeals** - All decisions or orders of the Conservation Commission shall be final. Further relief shall be to a court of competent jurisdiction.

F. **Remedies Not Exclusive** - The remedies listed in this By-Law are not exclusive of any other remedies available under any applicable federal, state or local law.

#### **Section 14            Certificate of Stormwater and Erosion Control Permit Compliance**

For Major Stormwater and Erosion Control Permits, the Permittee shall request the Conservation Commission to issue a Stormwater and Erosion Permit Certificate of Compliance upon receipt and approval of the final reports and/or upon otherwise determining that all work of the permit has been satisfactorily completed in conformance with this By-Law.

#### **Section 15            Severability**

If any provision, paragraph, sentence, or clause of this By-Law or the application thereof to any Person, establishment or circumstance shall be held invalid for any reason, all other provisions, to the maximum extent permitted by law, shall continue in full force and effect.

~~ END OF MOTION ~~

## **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

Presenter: Ms. Claire Rundelli, Natick Conservation Agent and Open Space Planner

An updated Stormwater Management and Erosion Control Bylaw was voted at the 2019 Fall Town Meeting and the rules and regulations that went along with that bylaw were adopted by the Conservation Commission in October 2020. We've had about two years of implementing the bylaw and have seen some potential areas for improvement.

One of the current challenges of the bylaw is that there's quite a bit of duplicate review. The engineering staff are reviewing every building permit that is coming through the town through our new Online Permitting System. A fair number of projects that are coming in for building permits are also being required to come forward for review under this bylaw. 62 of 102 the Stormwater permit applications that the town has received under the current bylaw and regulations could have been reviewed under the proposed Administrative Approval Process, thereby reducing the burden not only on the staff for a duplicate review, but also on the applicant for filing for another permit and paying additional permit fees.

The current thresholds result in projects ending up in categories that we don't feel appropriate. There have been several duplex constructions that have qualified as a major permit when we feel like they are more appropriately permitted as a minor project. There's also insufficient detail in the low impact development standards that creates areas of confusion for the applicants when staff are requesting revisions based on best practices which are not necessarily supported by the bylaw language.

The proposed updates, while they are scattered throughout the bylaw language, are fairly minimal in their scope. The major change that we are proposing is the introduction of an Administrative Approval permit process. This process creates a baseline requirement that all new development on previously undeveloped land of single-family homes, or full teardown and rebuilds of single family homes, are required to provide stormwater management under the current requirements of the bylaw, which is one inch across all impervious surface area for new development, and 0.8 inch across all redevelopment projects impervious area.

These projects would simply provide the required stormwater management review materials when they apply for their building permit and the review would be conducted through the building permit review process. An Administrative Approval form would be issued documenting that the projects have met the stormwater bylaw requirements without requiring a separate permit.

There are no changes proposed to the minor and major square footage of land disturbance thresholds. There are minor changes proposed to the cubic yard disturbance thresholds. Currently a minor permit threshold is anything over 100 cubic yards of soil export import or redistribution on site. That redistribution on site is pulling in some projects that may not really need a minor stormwater permit. We're shifting the minor permit baseline cubic yard threshold from 100 to 250, and the top end from 750 to 999 cubic yards. For the major permit thresholds, we are increasing the baseline from 750 to anything equal to or greater than 1000 cubic yards.

## Questions from the Committee

A member asked if the Building Inspector is in charge of approving the design. Ms. Rundelli answered that herself along with the Town Engineer, the Assistant Town Engineer and the Director of Public Health are the staff review team for the stormwater permits.

A member asked if a stamp drawing is required by a hydraulic engineer or would you accept that in lieu of a review process by those people you just discussed. Ms. Rundelli answered that stamped civil engineer plans of a stormwater system design are reviewed in order to ensure that it meets the requirements of the regulations: that there is an appropriate reduction in the runoff from the pre- and post-development conditions, that appropriate buffers are maintained from property boundaries and also that any tree removal or other site conditions that are required are appropriately mitigated through conditions.

A member asked how the cubic yard thresholds compare to other communities. Ms. Rundelli answered requirements vary by community. Our hope is that, through these changes, we will continue to be more and more in compliance with MS4 as we move through the years of that permitting.

A member noticed that there is no chance for appeal and does that create any problem. Ms. Rundelli answered the bylaw does allow for appeals of major permits, which are the only permits that are heard in a public meeting or public hearing setting. It doesn't currently allow for appeals of minor permits. We have not seen any issue with that at this point. As far as I'm aware, we have not received a single appeal for any stormwater permits that have been issued.

A member noted that in 2019 you revised the bylaw and now in 2023 there are more minor revisions. Is this once every four years normal? Ms. Rundelli answered that we hope that this will be the last change for a while. The previous change was quite significant. Prior to the 2019 bylaw, only projects disturbing over 40,000 square feet were required to receive land disturbance permits, which in Natick is a very small number of projects. The 2019 update was to try and bring the town into baseline compliance with MS4 pwemir. As we've moved through the administration, we're hoping that these last small revisions will work out the last kinks in the process and that we'll be in a really great place for many more years to come.

A member asked about the different review process. Ms. Rundelli answered the process will be slightly different. As required by the bylaw in its current state, the engineering division will be the leads on the review process under the building permit approval, but myself or any future designated agents of the Conservation Commission will be involved in that review process still. The Director of Public Health is involved primarily when it comes to septic design and also because the Board of Health is the home of the town's certified soil evaluators. They're involved in witnessing all the soil testing, which plays an important role in the design of these systems. But the public health department is also currently a regular step in the building permit review process. So it's mainly just a different submission format, all the same parties will still be involved in the review.

A member asked Ms. Rundelli to highlight some of the other changes that have been made and the purpose for them. Ms. Rundelli answered that one change is to the definition of "land disturbing activity" or "land disturbance." This is one of those points of clarifying language. We have had some

issues in the administration of the bylaw with builders applying for demo permits and performing a full demo prior to submitting for their stormwater permit. If this was just a stormwater bylaw, that wouldn't be too much of an issue, but it also deals with erosion management. As soon as a property is demoed and there are exposed soils on the site, we really want to be sure that the erosion controls are properly in place so we're not seeing sediment enter our town stormwater system. So clarifying the definition to state that demolition of existing structures is also considered a land disturbing activity.

Another clarification involves which projects are exempt when they fall under Conservation Commission jurisdiction from a wetlands perspective. Currently any project that requires an order of conditions is exempt from the stormwater standards, but the language doesn't clarify that those projects are still subject to the design requirements under this bylaw, just that they are not required to apply for a separate permit from the order of conditions that they're receiving for their wetlands approval.

And many of the changes that follow are rolled down from earlier changes, so adding "Administrative approval permits," clarifying how administrative approval permit materials will be submitted, the action and review process for the administrative approval permit. We intend for it to be conducted within the timelines allowed for the current building permit review, so it wouldn't extend those timelines at all.

Again, clarifying we see a number of small single-family home projects where they feel like they need to send in six different plan sheets covering all of these different pieces of information, just noting that any requirement from Sections A, B and C of this section may be combined under one plan sheet as long as it is legible, but the operation and maintenance plan, the information required under Section 8D must be submitted as a separate standalone document. The operations and maintenance plan applies to all future homeowners of that property. Many developers like to include it on the plan sheets that are being provided during construction, but homeowners aren't frequently looking at the plan sheets from when their house was built, when they're looking for how to maintain their property, so ensuring that the town has that on file as a separate document in order to be able to easily share it with any future homeowners looking for an understanding of their responsibilities.

Also noting that there are still two additional required inspections under the Administrative Approval Process.

In looking back at some of the larger projects that the Conservation Commission has reviewed under this current bylaw and some future projects that we're anticipating reviewing, just making it very clear that the commission has the ability to require that a third party peer reviewer be hired at the expense of the applicant in order to review those materials in a holistic manner in order to support town staffs' review of the project.

The requirement was removed that the certificate of compliance be recorded at the Registry of Deeds. The actual permit itself is not recorded. So unlike wetlands permits, where a cloud is placed on the title by the permit and then lifted by the certificate, it doesn't really make much sense to record a certificate against a permit that is not required to be recorded.

A member asked for clarification about the two additional inspections. What is the impact going to be on the inspectors? Is this going to increase inspections or decrease inspections? Ms. Rundelli answered the inspections that are required would be conducted by the engineering division or myself not by the

building inspectors. They are the excavation of the pit for any subsurface infiltration installations and then also the bury inspection before that system is backfilled. Underground systems do have very specific requirements in terms of stone depth, is there any groundwater in the pit, lining of the sides of the pit with filter fabric. We want to make sure that those systems are being appropriately inspected while they're being installed to avoid any future issues for homeowners on that property.

A member noted that single-family homes are mentioned multiple times. Does it also apply to multifamily, duplex, condo? Ms. Rundelli answered we're intending the Administrative Approval permit process to apply only to single-family homes because multi-family homes often bring in the question of system ownership. We have seen duplex projects in the past where the system has been combined as one system for both units where it's managed by an HOA type of facility.

A member asked what process does a multi-unit use in contrast? Ms. Rundelli answered she has not seen any multi-family or duplex projects that have not met the minimum thresholds of this bylaw. They are required to go through either the minor or the major stormwater permitting process.

**Article 79A of the Town of Natick By-Laws:  
Stormwater Management and Erosion Control**

**Section 1                      Purpose**

A.        Increased volumes of Stormwater, contaminated Runoff from Impervious Surfaces, and Soil Erosion and Sedimentation are major causes of:

- 1) impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater;
- 2) contamination of drinking water supplies;
- 3) Erosion of stream channels;
- 4) alteration or destruction of aquatic and wildlife habitat;
- 5) flooding; and,
- 6) overloading or clogging of municipal catch basins and storm drainage systems.

The United States Environmental Protection Agency has identified Sedimentation from Land Disturbance activities and polluted Runoff from land development and redevelopment as major sources of water pollution, impacting drinking water supplies, natural habitats, and recreational resources. Regulation of activities that result in the Disturbance of Land and the creation of Runoff is necessary for the protection of the water bodies and groundwater resources within the Town of Natick, to safeguard the health, safety, and welfare of the general public and protect the natural resources of the Town.

B.        The objectives of this By-Law are to:

- 1) protect water resources;
- 2) require practices that minimize or eliminate Erosion and Sedimentation and maintain Sediment on construction sites;
- 3) control the volume and rate of Stormwater resulting from Land Disturbance Activities in order to minimize potential impacts of flooding;
- 4) require practices to manage and treat Runoff generated from new development and redevelopment, with a preference for Low Impact Development techniques;
- 5) promote infiltration and the recharge of groundwater;
- 6) maximize recharge of groundwater in the Natick Aquifer Protection District as defined by Section III-A.5 of the Natick Zoning By-Law;
- 7) ensure that Erosion, Sedimentation, and Runoff are minimized through Site planning, design and implementation;
- 8) ensure adequate long-term operation and maintenance of Best Management Practices;
- 9) require practices to control Construction and Waste Materials that may cause adverse impacts to water quality;
- 10) comply with state and federal statutes and regulations, including the Municipal Separate Storm Sewer System (MS4) Permit, relating to Stormwater discharges; and
- 11) establish the Town of Natick's legal authority to ensure compliance with the provisions of this By-Law through inspection, monitoring and enforcement.

**Section 2                      Definitions**

For the purposes of this By-Law, the following shall mean:

**ALTERATION OF DRAINAGE CHARACTERISTICS:** Any activity on an area of land that changes the water quality, or the force, quantity, direction, timing or location of Runoff flowing from the area. Such changes include: change from distributed Runoff to confined, discrete discharge; change in the volume of Runoff from the area; change in the peak rate of Runoff from the area; and change in the recharge to groundwater on the area.

**APPLICANT:** Any Person requesting a Stormwater and Erosion Control Permit.

**APPLICATION:** A standard form for application as issued by the Conservation Commission and any other documentation, which shall include, but shall not be limited to, plans, charts, drawings, specifications, narratives, or any other documents or pieces of information required by applicable federal, state or local laws, rules and/or regulations, submitted in connection with a Stormwater and Erosion Control Permit, as applicable, and as defined in the regulations promulgated by the Conservation Commission in support of this By-Law.

**AUTHORIZED ENFORCEMENT AGENCY:** Conservation Commission and its employees or Designated Agent.

**BEST MANAGEMENT PRACTICE (BMP):** Structural, non-structural and managerial techniques that are recognized to be the most effective and practical means to prevent or reduce the quantity of, or improve the quality of Runoff.

**CONSTRUCTION AND WASTE MATERIALS:** Excess or discarded building or Site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction Site.

**CLEARING:** Any activity that removes the vegetative surface cover.

**DESIGNATED AGENT:** The Conservation Agent or any person or entity designated by the Conservation Commission to assist in the administration, implementation and enforcement of this By-Law and its regulations. The designation of a person or entity other than the Conservation Agent shall be made in writing upon a majority vote of the Conservation Commission.

**DRAINAGE FACILITY:** Any constructed or engineered feature that collects, conveys, stores, treats, or otherwise manages Stormwater or surface water, or any land and improvements thereon, if altered for the purpose of conveyance, storage or infiltration.

**ENVIRONMENTAL SITE MONITOR:** A registered and professional engineer (P.E.) or other trained professional selected by the Conservation Commission and retained by the holder of a Stormwater and Erosion Control Permit to periodically inspect the work and report to the Conservation Commission or Designated Agent, as applicable.

**EROSION:** The wearing away of the ground surface by natural or artificial forces and the subsequent detachment and transportation of Soil.

**GRADING:** Changing the level or shape of the ground surface.

**GRUBBING:** The act of Clearing ground surface by digging or grinding up roots and stumps.

**IMPERVIOUS SURFACE:** Any material or structure on or above the ground that prevents water infiltrating the underlying ground. Impervious Surface includes, without limitation, roads, paved

parking lots, sidewalks, and rooftops. Impervious Surface also includes Soils, gravel driveways, and similar surfaces with a Runoff coefficient (Rational Method) greater than 85.

LAND-DISTURBING ACTIVITY or LAND DISTURBANCE: Any activity, including, without limitation, ~~Clearing, Grubbing, Grading~~clearing, grubbing, grading, digging, cutting, removal of vegetation or trees, excavation, placement of fill, resurfacing and construction that causes a change in the position or location of Soil or a change in the patterns of drainage and/or infiltration of water. This may include the demolition of existing structures and site features, along with any site prep required for new construction.

LOW IMPACT DEVELOPMENT (LID): A comprehensive land planning and engineering design strategy that seeks to maintain a Site's pre-development ecological and hydrological function through the protection, enhancement, or mimicry of natural processes. LID systems and practices emphasize reduction of effective imperviousness and conservation and use of existing natural Site features integrated with distributed small-scale Stormwater controls to result in the treatment, infiltration, evapotranspiration, and/or use of Stormwater close to its source.

LOT: A single parcel of land held in identical ownership throughout and defined by metes, bounds, or boundary lines in a recorded deed or on a recorded plan.

MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS: The Standards issued by the Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act M.G.L. c. 131 §40 and the Massachusetts Clean Waters Act M.G.L. c. 21, §§ 23-56, and any successor statutory provision.

MUNICIPAL STORM DRAIN SYSTEM or MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): The system of conveyances designed or used for collecting or conveying Stormwater, including, without limitation, any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town.

OWNER: A Person with a legal or equitable interest in property.

PERMITTEE: The Person who holds a Stormwater and Erosion Control Permit.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POINT SOURCE: Any discernible, confined, and discrete means of conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

PRE-CONSTRUCTION: All activity in preparation for construction.

RESPONSIBLE PARTIES: Owner(s), Persons with financial responsibility, Persons with operational responsibility, or Persons with administrative responsibility.

RUNOFF: Rainfall, snowmelt or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic Soil material that is transported by wind or water, from its origin to another location; the product of Erosion processes.

SEDIMENTATION: The process or act of deposition of Sediment.

SITE: Any lot or parcel of land or area of property where Land-Disturbing Activities are, were, or will be performed.

SOIL: Any earth, sand, rock, stone, gravel, loam, clay, sod, fill, mineral products, eroded matter or similar material.

STABILIZATION: The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or slow down Erosion.

STORMWATER: Runoff from precipitation, snowmelt or drainage.

STORMWATER AND EROSION CONTROL PERMIT: A Major Stormwater and Erosion Control Permit or a Minor Stormwater and Erosion Control Permit issued by the Authorized Enforcement Agency, after review and approval of an Application, which is designed to protect the environment of the Town from the effects of uncontrolled and untreated Runoff, as defined in Section 4 herein.

WETLANDS: Freshwater wetland, marsh, bog, wet meadow and swamp as defined in M.G.L. c. 131, §40, the Town of Natick Wetland Protection By-Law, or any successor statutory provision.

### **Section 3 Authority**

This By-Law is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and the regulations of the Federal Clean Water Act (found at 40 CFR 122.34 published in the Federal Register on December 8, 1999, as amended). No change to the aforementioned regulations should affect the validity of this By-Law.

### **Section 4 Applicability**

A. This By-Law shall apply to any Land-Disturbing Activity within the jurisdiction of the Town, including, but not limited to, any activities that require ~~a permit~~permits through the Town. The Conservation Commission retains the right to oversee and review all matters relating to Land-Disturbing Activities within the Town of Natick, and may promulgate and enforce guidelines, regulations and standards relevant thereto.

B. This By-Law shall apply to land or parcels of land held in common ownership (including, but not limited to, ownership by related or jointly-controlled Persons or entities), if the total Land-Disturbing Activities on said land or parcels, considered as a whole, would presently or ultimately exceed the minimum thresholds in Section 4.C and are not exempted by Section 4.D, and no such activity, including demolition, shall commence until a Stormwater and Erosion Control Permit under this By-Law has been issued. Land Disturbing Activities shall not be segmented or phased in a manner to avoid compliance with this By-Law. Any changes to proposed work that occur in the field must be reviewed and approved by Town Staff prior to implementation to ensure no amendments are required to the permit.

## DRAFT 3/21/23 REDLINE COMPARISON

C. **Permit Thresholds** - A Stormwater and Erosion Control Permit shall be required for any of the following, except for an activity exempt per Section 4.D:

1) Administrative Approval Permit

- (a) Any single-family home project consisting of new construction on previously undeveloped land, or reconstruction (involving the demolition of an existing structure and construction of a new structure) must provide stormwater infiltration for the first (1) inch of runoff from all impervious areas.

4)2) Minor Stormwater and Erosion Control Permit

- (a) AnyFor projects other than those described in Section 4.C.1, any Land Disturbance greater than 3,000 square feet, but not exceeding 20,000 square feet.
- (b) The construction of a new Drainage Facility or alteration of an existing Drainage Facility greater than 3,000 square feet, but not exceeding 20,000 square feet.
- (c) The addition, on-Site redistribution or export of fill, greater than or equal to 100250 cubic yards, but not exceeding 750999 cubic yards, of Soil, and not associated with projects described in Section 4.C.1.

2)3) Major Stormwater and Erosion Control Permit

- (a) AnyFor projects other than those described in Section 4.C.1, any Land Disturbance greater than 20,000 square feet.
- (b) The construction of a new Drainage Facility or alteration of an existing Drainage Facility greater than 20,000 square feet.
- (c) The addition, on-Sitesite redistribution, or export of morefill greater than 750or equal to 1000 cubic yards of Soil, and not associated with projects described in Section 4.C.1.

D. **Exempt Activities** - The following activities are exempt from the requirements of this By-Law, provided that appropriate Best Management Practices are used:

- 1) Normal maintenance and improvement of land in agricultural use as defined by the Wetland Protection Act 310 CMR 10.00 and G.L.c. 40A, §3, and any successor regulatory or statutory provision.
- 2) Reasonable and ordinary maintenance of existing lawn, landscaping, or gardens areas, provided such maintenance does not include the addition of more than 100-250 cubic yards of soil material, construction of walls greater than one foot in height, alteration of existing grades by more than one foot in elevation, or alteration of drainage patterns.
- 3) Repair or replacement of damaged roofs
- 4) Renovation of a single-family dwelling that does not expand beyond the dwelling's existing footprint.
- 5) Repair of septic systems when required by the Board of Health.
- 6) Construction of fencing that will not alter existing terrain or drainage patterns.
- 7) Construction of utilities other than drainage (gas, water, electric, telephone, etc.) that will not alter terrain, ground cover or drainage patterns.
- 8) Projects wholly within the jurisdiction of the Conservation Commission and requiringrequire an Order of Conditions, which will still be subject to the stormwater management and erosion control practices required under the Regulations.
- 9) Any logging that is consistent with a Forest Cutting Plan approved under the Forest Cutting Practices Act by the Massachusetts Department of Conservation and Recreation.

- 10) The maintenance or reconstruction of any public way, in accordance with Town policy developed by the Natick Board of Selectmen and Conservation Commission.
- 11) The temporary stockpiling of Soil by a landscaper, excavator, or similar commercial enterprise for reuse elsewhere, so long as erosion and sediment control BMPs are used.

## **Section 5 Administration**

A. The Conservation Commission shall administer, implement and enforce this By-Law. Any powers granted to or duties imposed upon the Conservation Commission through this By-Law, to the extent allowed by law, may be delegated in writing to its Designated Agent.

B. Stormwater and Erosion Control Permits shall be issued as follows:

1) Administrative approvals for single-family home projects shall be issued as part of the Engineering Division review of building permit applications, but shall require consultation with the Designated Agent of the Conservation Commission.

~~4)2)~~ Minor Stormwater and Erosion Control Permits shall be issued by the Designated Agent of the Conservation Commission. Review by the Conservation Commission is not required.

- (a) The Applicant shall submit an Application, fees, and any other permit submission requirements, as specified in this By-Law or the regulations of this By-Law, and shall also comply with any requirements of the Designated Agent.
- (b) The Designated Agent shall review the submittal for compliance with this By-Law and the By-Law's regulations. The Designated Agent shall take an Action as specified in Section 7.H. of this By-Law.
- (c) Additional permit procedures and requirements shall be defined and included as part of any rules and regulations promulgated under Section 6 of this By-Law.

~~2)3)~~ Major Stormwater and Erosion Control Permits shall be reviewed and issued by the Conservation Commission.

- (a) The Applicant shall submit an Application, fees, and any permit submission requirements, specified in this By-Law or the regulations for this By-Law, and shall also comply with any requirements of the Conservation Commission.
- (b) The Conservation Commission shall review the submittal for compliance with this By-Law and the By-Law's regulations as part of the Conservation Commission's public hearing process on the proposed project. The Conservation Commission shall take an Action as specified in Section 7.H. of this By-Law.
- (c) Additional permit procedures and requirements shall be defined and included as part of any rules and regulations promulgated under Section 6 of this By-Law.

## **Section 6 Regulations**

The Conservation Commission may adopt, and periodically amend rules and regulations to effectuate the purposes of this By-Law. Failure by the Conservation Commission to promulgate such rules and regulations shall not have the effect of suspending or invalidating this By-Law.

## **Section 7 Permits**

Permit issuance or project approval is required prior to any ~~activity disturbing 3,000 or more square feet of land, work described in Section 4.C and 4.D.,~~ or as otherwise specified in this By-Law. The Site Owner or his agent shall apply for the permit with the Conservation Commission ~~when necessary, or include the appropriate materials with the Building Permit application.~~ While an Application may be submitted by a representative, the Permittee must be the Owner of the Site.

A. **Applications** - An Application shall be made to the Conservation Commission in a form and containing information as specified in this By-Law and in the regulations adopted by the Conservation Commission. Applications for Major Stormwater and Erosion Control permits also require distribution to the Department of Public Works, and the Board of Health for review and comment, and shall be accompanied by certification of delivery to these Town entities when submitted to the Conservation Commission.

B. **Fees** - Fees shall be established by the Conservation Commission to cover expenses connected with public notice, Application review, and monitoring permit compliance. The fee shall be sufficient to also cover professional review. The Conservation Commission or Designated Agent is authorized to retain a registered professional engineer or other professional consultant to advise the Commission on any or all aspects of these plans. Applicants must pay review fees before the review process may begin. The Applicant for a Stormwater and Erosion Control Permit may be required to cover the costs of the consultant through an account established pursuant to M.G.L. c. 44, §53G, and any successor statutory provision.

C. **Information Requests** - The Conservation Commission or Designated Agent may request such additional information as is necessary to determine whether the proposed Land-Disturbing Activity will protect water resources and comply with the requirements of this By-Law.

D. **Determination of Completeness** - The Conservation Commission or Designated Agent shall make a determination as to the completeness of the Application and adequacy of the materials submitted. No review shall take place until the Application has been found to be complete.

E. **Coordination with Other Town Entities** – Applications for Major Stormwater and Erosion Control permits require distribution to the Department of Public Works and the Board of Health as noted in Section 7.A. These Town entities shall, in their discretion, investigate the case and report their recommendations to the Conservation Commission. The Conservation Commission shall not hold a hearing on the Major Stormwater and Erosion Control Permit until 1) receipt of reports from Town entities or 2) twenty (20) calendar days after the distribution of the Major Stormwater and Erosion Control Permit Application, whichever occurs first.

F. **Entry** - Filing an Application for a Stormwater and Erosion Control Permit grants the Conservation Commission or Designated Agent permission to enter the Site to verify the information in the Application and to inspect for compliance with permit conditions, to the extent permitted by law.

G. **Hearing** - Within thirty (30) calendar days of receipt of a complete Application for a Major Stormwater and Erosion Control Permit, the Conservation Commission shall hold a public hearing. Notice of the public hearing shall, at least seven (7) calendar days prior to said hearing, be given by publication in a paper of general circulation serving the Town of Natick, and by posting the notice at the Town Hall. The Conservation Commission shall be responsible for such public notice as described above. The Conservation Commission shall make the Application available for inspection by the public during business hours at the Town of Natick's Conservation Office.

H. **Action and Appeal Process**

**1) Administrative Approval Permit**

(a) **Action** – The approval permit for single-family home projects must coincide with the approval timeline for building permits, with any comments or information requests communicated to the applicant within ten (10) business days (Saturdays, Sundays and legal holidays excluded) of the application submission.

i. The stormwater management features (e.g., site grading, surface and subsurface infiltration features, etc.) and proposed calculations demonstrating volume capacity must be included on plans submitted for the building permit application, at which point Engineering Division staff will approve or reject the stormwater management features as part of the building permit review performed.

**4)2) Minor Stormwater and Erosion Control Permit**

(a) **Action** – The Application for a Minor Stormwater and Erosion Control Permit shall be acted upon within ten (~~40~~15) business days (Saturdays, Sundays and legal holidays excluded) of the date the Designated Agent determines the Application is complete, unless such Application has been withdrawn from consideration. The Designated Agent may:

- i. **Approve the Application and issue a permit** if it finds the proposed plan meets the objectives of and complies with the requirements of this By-Law;
- ii. **Approve the Application and issue a permit with conditions, modifications and/or restrictions** that the Designated Agent determines are required to ensure the project will meet the objectives of and comply with the requirements of this By-Law;
- iii. **Disapprove the Application and deny a permit** if the Designated Agent finds that the proposed plan fails to meet the objectives of or to comply with the requirements of this By-Law or if the Designated Agent finds that the Applicant has submitted insufficient information to confirm the proposed plan meets the objectives of and complies with the requirements of this By-Law; or
- iv. **Determine that a Minor Stormwater and Erosion Control Permit is inappropriate and require a different permit, approval, or no permit** in accordance with the permit thresholds listed in Section 4.C.

**(b) Appeal of Disapproved Applications**

- i. The Applicant may modify the Application to meet the objectives of and comply with the requirements of this By-Law and resubmit it to the Designated Agent.
- ii. The Applicant may appeal a permit denial by the Designated Agent by requesting the Conservation Commission review the Application. Such review shall take place with a public hearing as described in Section 7.G. and shall be subject to any review fees or additional submittal requirements as specified in the regulations for this By-Law.

**2)3) Major Stormwater and Erosion Control Permit**

(a) **Action** – The Conservation Commission shall take action on a Major Stormwater and Erosion Control Permit within thirty (30) calendar days from the close of a public hearing as described in Section 7.G, unless such time is extended by agreement between the

Applicant and the Conservation Commission. The Conservation Commission shall take one of the following actions:

- i. **Approve the Application and issue a permit** if it finds that the proposed plan will meet the objectives of and complies with the requirements of this By-Law;
- ii. **Approve the Application and issue a permit with conditions, modifications and/or restrictions** that the Conservation Commission determines are required to ensure that the project will meet the objectives of and comply with the requirements of this By-Law;
- iii. **Disapprove the Application and deny a permit** if it finds that the proposed plan fails to meet the objectives of or to comply with the requirements of this By-Law or that the Applicant has submitted insufficient information to confirm the proposed Application meets the objectives of and complies with the requirements of this By-Law; or
- iv. **Determine that a Major Stormwater and Erosion Control Permit is inappropriate and require a different permit or no permit** in accordance with the permit thresholds listed in Section 4.C.

The Permittee, or his or her agent, must notify the Conservation Commission or Designated Agent in writing of any change or alteration of a Land-Disturbing Activity before the change or alteration occurs. If the Conservation Commission or Designated Agent determines that the change or alteration is significant, based on the design requirements listed in the regulations adopted by the Conservation Commission under this By-Law, the Conservation Commission or Designated Agent may require that an amended Application or a full Application be filed in accordance with Section 7. If any change or alteration from the Stormwater and Erosion Control Permit occurs during Land-Disturbing Activities, the Conservation Commission or Designated Agent may require the installation of interim Erosion and Sedimentation control measures before approving the change or alteration. This shall not affect any other obligations the Applicant shall have under M.G.L. c. 121, §40, the Natick Wetlands Protection By-Law, or any other regulation pertinent, or any successor statutory or regulatory provision.

## **Section 8 Plans**

Regulations promulgated by the Conservation Commission shall set forth the types of plans required by a Minor Stormwater and Erosion Control Permit and a Major Stormwater and Erosion Control Permit, including, but not limited to, the provisions of Sections 8A - 8D below. The information required in Section 8A-8C below may be incorporated onto a single plan sheet, but information required by Section 8D must be provided in a stand-alone document. Further requirements, including, but not limited to, circumstances in which plans must be prepared by a registered professional engineer (P.E.) or a registered professional land surveyor (PLS), may be specified by the Conservation Commission or Designated Agent; the provisions herein are not intended to be an ~~exhausted~~exhaustive clarification on the specific details of plan requirements.

A. The **Erosion and Sedimentation Control Plan** shall contain sufficient information to describe the nature and purpose of the proposed Land Disturbing Activity, pertinent conditions of the Site and the adjacent areas, and proposed Erosion and Sedimentation controls to be used during pre-construction and construction. The Erosion and Sedimentation Control Plan shall fully describe the project in drawings and narrative. The Applicant shall submit such material as is necessary to show that the proposed Land Disturbing Activity will comply with the design standards and contain the information listed in the regulations adopted by the Conservation Commission for administration of this By-Law.

B. The **Low Impact Development (LID) Plan** shall contain sufficient information for the Conservation Commission or Designated Agent to evaluate the acceptability of: the Site planning process; the anticipated impacts of the proposed Land Disturbing Activity on the ecological and hydrological functions of the Site; including documenting any and all necessary tree removal; or any measures proposed by the Applicant to maintain ecological and hydrological functions of the Site. The LID Plan shall fully describe the project in drawings, narrative, and calculations, if applicable. The Applicant shall submit such material as is required by the regulations adopted by the Conservation Commission for the administration of this By-Law. The LID plan shall be designed to comply, to the maximum extent practicable, with all standards for LID set forth by the regulations adopted by the Conservation Commission for the administration of this By-Law.

C. The **Stormwater Management Plan** shall contain sufficient information to describe the nature and purpose of the proposed Land Disturbing Activity, pertinent conditions of the Site and the adjacent areas, and proposed BMPs for the permanent management and treatment of Stormwater. The Stormwater Management Plan shall contain sufficient information for the Conservation Commission or Designated Agent to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the Applicant for reducing adverse impacts from Stormwater. The Plan shall be designed to meet the Massachusetts Stormwater Management Standards set forth in the Massachusetts Stormwater Management Standards and DEP Stormwater Management Handbook Volumes I and II, and any other Stormwater standards set forth in the regulations adopted by the Conservation Commission for the administration of this By-Law. The Stormwater Management Plan shall fully describe the project in drawings and narrative. The Applicant shall submit such material as is required by the regulations adopted by the Conservation Commission for the administration of this By-Law.

D. **An Operation and Maintenance Plan - (O&M Plan)** for the permanent Stormwater management system is required at the time of application for all Stormwater and Erosion Control Permits. The maintenance plan shall be designed to ensure compliance with this By-Law and that the Massachusetts Surface Water Quality Standards contained in 314 CMR 4.00 or any successor regulations are met in all seasons and throughout the life of the system. The O&M Plan shall include any requirements deemed necessary by the Conservation Commission or Designated Agent. The Conservation Commission or Designated Agent shall determine what maintenance option is appropriate in a given situation. The Conservation Commission or Designated Agent will consider natural features, proximity of Site to water bodies and Wetlands, extent of Impervious Surfaces, the size of the Site, the types of Stormwater management structures, BMPs, and the potential need for ongoing maintenance when making this decision. Once approved by the Conservation Commission or Designated Agent, the O&M Plan shall be recorded at the Commonwealth of Massachusetts Middlesex South Registry of Deeds by the Permittee, shall run with the land, shall remain on file with the Conservation Commission, and shall be an ongoing requirement. The O&M Plan shall conform to the requirements listed in the regulations adopted by the Conservation Commission for the administration of this By-Law. Stormwater management easements shall be provided by the property Owner(s) in areas and as necessary to carry out the required maintenance.

#### 1) **Changes to Operation and Maintenance Plans**

- (a) The Owner(s) of the Stormwater management system must notify the Conservation Commission or Designated Agent of changes in ownership or assignment of financial responsibility.
- (b) The maintenance schedule in the O&M Plan may be amended to achieve the purposes of this By-Law by mutual agreement of the Conservation Commission and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Once the amended Plan is signed, the Conservation Commission shall file it at the Commonwealth

of Massachusetts Middlesex South Registry of Deeds at the expense of the current Owner(s).

## **Section 9      Inspection and Site Supervision for Stormwater and Erosion Control Permits**

Regulations promulgated by the Conservation Commission for the administration of this By-Law shall set forth the inspection and site supervision requirements required for a Stormwater and Erosion Control Permit, including, but not limited to, the provisions of Sections 9A – 9D.

A.      **Pre-Construction Meeting** - Prior to the commencement of any Land Disturbing Activity requiring a Stormwater and Erosion Control Permit, a pre-construction meeting may be required as specified in the regulations promulgated by the Conservation Commission for the administration of this By-Law. If required, the Applicant, the Applicant's technical representative, the general contractor, pertinent subcontractors, and any Person with authority to make changes to the project, shall meet with the Conservation Commission or Designated Agent to review the permitted plans and proposed implementation.

~~B.      **Inspection**~~

B.      **Inspection** – For all projects requiring an Administrative Approval Permit under this By-Law, inspections shall occur as they would for a standard building permit process with additional required inspections of excavations for stormwater systems and installed stormwater systems prior to backfill.

For all projects requiring a Stormwater and Erosion Control Permit, the Conservation Commission or Designated Agent shall make inspections as required by the regulations promulgated by the Conservation Commission for the administration of this By-Law. The Conservation Commission or Designated Agent shall either approve that portion of the work completed or shall notify the Permittee if the work fails to comply with the approved plans and require any modifications to the work to ensure full compliance with the permit. One copy of the approved plans and conditions of approval, signed by the Conservation Commission or Designated Agent, as applicable, shall be maintained at the Site during the progress of the work. The Permittee shall notify the Conservation Commission or Designated Agent at least three (3) business days (Saturdays, Sundays and legal holidays excluded) before each of the following events:

- 1) Erosion and Sedimentation control and tree protection measures are in place and stabilized;
- 2) Site Clearing and rough Grading have been substantially completed;
- 3) Final Grading has been substantially completed;
- 4) Bury Inspection: prior to backfilling of any underground drainage or Stormwater conveyance structures;
- 5) Close of the Construction Season; and
- 6) Final landscaping (permanent Stabilization) and project final completion.

C.      **Permittee Inspections** - The Permittee or the Permittee's agent shall conduct and document inspections of all control measures as required in the regulations promulgated by the Conservation Commission for the administration of this By-Law, and prior to and following anticipated storm events. The purpose of inspections will be to determine the overall effectiveness of the Erosion and Sedimentation Control plan, and the need for maintenance or additional control measures. The Permittee or the Permittee's agent shall submit reports to the Conservation Commission or Designated Agent in a frequency and format required by the regulations promulgated by the Conservation Commission for the administration of this By-Law. The Conservation Commission or Designated Agent may require, as a condition of approval, that an Environmental Site Monitor, approved by the Conservation Commission or Designated Agent, be retained by the Applicant to conduct such inspections and prepare and submit such reports to the Conservation Commission or Designated Agent.

D. **Access Permission** - To the extent permitted by law, or if authorized by the Owner or other party in control of the property, the Conservation Commission, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this By-Law and may make or cause to be made such examinations, surveys or sampling as the Conservation Commission or Designated Agent deems reasonably necessary to determine compliance with the permit.

## **Section 10 Surety for Stormwater and Erosion Control Permits**

The Conservation Commission or Designated Agent may require the Permittee to post before the start of the Land-Disturbing Activity subject to a Stormwater and Erosion Control Permit, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by town counsel, and be in an amount deemed sufficient by the Conservation Commission to ensure that the work will be completed in accordance with the permit. If the project is phased, the Conservation Commission may release part of the bond, as a proportion of the completed phase(s), but the bond may not be fully released until the Conservation Commission has received the final report as required by Section ~~14~~12 and issued a certificate of compliance pursuant to Section ~~13~~14.

## **Section ~~14~~11 Peer Review for Stormwater and Erosion Control Permits**

The Commission, or its Designated Agent, at the commencement of its process hereunder, or at any time during a hearing may require an applicant to pay a fee for the reasonable costs and expenses incurred or to be incurred by the Commission for specific expert engineering and other consultant services that the Commission deems are necessary to enable it, or its Designated Agent, to reach a final decision on the application. The exercise of discretion by the Commission in determining whether to require the payment of fees shall be based on a reasonable finding that additional information, acquirable only through outside consultants, is necessary for the making of an informed, objective decision. The specific consultant services may include, but are not limited to, performing additional or verifying the accuracy of submitted drainage analyses; performing additional soil testing; and researching environmental, land use or other law. Any applicant aggrieved by the selection of a consultant, may appeal according to the provisions of the Mass. Gen. Laws Chp 44 Section 53G.

## **Section ~~12~~ Final Reports for Stormwater and Erosion Control Permits**

Upon completion of the work under a Minor or Major Stormwater and Erosion Control Permit, the Permittee shall submit a report certifying that all Erosion and Sedimentation control devices, elements of the -Application, and approved changes and modifications, have been completed in accordance with the conditions of the approved permit. Any discrepancies should be noted in the cover letter. In addition, the final report for ~~a Minor and~~ Major Stormwater and Erosion Control permits shall include certified as-built construction plans from a registered professional engineer (P.E.) or registered professional land surveyor. ~~As a condition of plan approval for a Minor Stormwater and Erosion Control project, the Conservation Commission's Designated Agent may require that the final report include certified as-built construction plans from a registered professional engineer (P.E.) or registered professional land surveyor.~~

## **Section ~~12~~13 Enforcement**

A. The Conservation Commission retains the right to oversee and review all matters relating to Land-Disturbing Activities within the Town of Natick. The Conservation Commission or Designated Agent shall enforce this By-Law, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

**B. Orders**

- 1) The Conservation Commission or Designated Agent may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include, but are not limited to, the following:
  - (a) a requirement to cease and desist from the Land-Disturbing Activity until there is compliance with the By-Law and/or the provisions of the Stormwater and Erosion Control Permit;
  - (b) maintenance, installation or performance of additional Erosion and Sedimentation control measures;
  - (c) monitoring, analyses, and reporting; and/or
  - (d) remediation of Erosion and Sedimentation resulting directly or indirectly from the Land-Disturbing Activity.
- 2) If the Conservation Commission or Designated Agent determines that abatement or remediation of Erosion and Sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or Owner fail to abate or perform remediation within the specified deadline, the Town of Natick may, at its option, undertake such work, and the Owner shall reimburse the Town for its expenses.
- 3) Within thirty (30) calendar days after completing all measures necessary to abate the violation or to perform remediation, the violator and the Owner shall be notified of the costs incurred by the Town of Natick, including administrative costs. The violator or Owner may file an appeal objecting to the amount or basis of costs with the Conservation Commission within thirty (30) calendar days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file an appeal within thirty (30) calendar days following a decision of the Conservation Commission affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the Owner and shall constitute a lien on the Owner's property for the amount of such costs. Interest shall begin to accrue on any unpaid costs at the statutory rate, as provided in M.G.L. c. 59, §57, or any other successor statute, after the thirty-first calendar day following the calendar day on which the costs were due.

**C. Criminal Penalty** - Any Person who violates any provision of this By-Law, regulation, order or permit issued thereunder, shall be punished by a fine of not more than \$300.00 for each offense. Each calendar day that such violation occurs or continues shall constitute a separate offense.

**D. Non-Criminal Disposition** - As an alternative to criminal prosecution or civil action, the Town of Natick may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch.. 40, §21D in which case the Conservation Commission or Designated Agent shall be the Authorized Enforcement Agency. The penalty for each violation shall be \$300.00. Each calendar day that such violation occurs or continues shall constitute a separate offense.

**E. Appeals** - All decisions or orders of the Conservation Commission shall be final. Further relief shall be to a court of competent jurisdiction.

**F. Remedies Not Exclusive** - The remedies listed in this By-Law are not exclusive of any other remedies available under any applicable federal, state or local law.

**Section ~~13~~14 Certificate of Stormwater and Erosion Control Permit Compliance**

~~Since a~~For Major Stormwater and Erosion Control ~~Permit runs with the title of a property~~Permits, the Permittee shall request the Conservation Commission to issue a Stormwater and Erosion Permit Certificate of Compliance upon receipt and approval of the final reports and/or upon otherwise determining that all work of the permit has been satisfactorily completed in conformance with this By-Law. ~~The Certificate of Compliance shall be recorded at the Commonwealth of Massachusetts Middlesex South Registry of Deeds by the Owner(s).~~

**Section ~~14~~15 Severability**

If any provision, paragraph, sentence, or clause of this By-Law or the application thereof to any Person, establishment or circumstance shall be held invalid for any reason, all other provisions, to the maximum extent permitted by law, shall continue in full force and effect.

~~ END OF ARTICLE ~~

**ARTICLE 24**  
**Amend Zoning Bylaw: Establish Center Gateway Zoning District**  
**(Planning Board)**

**ARTICLE LANGUAGE**

To see if the Town will vote to amend the Natick Zoning Bylaw and Zoning Map to create a new zoning district (in the area of East Central Street/Union Street/Grant Street), which will serve as a transition between the Downtown Mixed-use (DM) Zoning District and the surrounding zoning districts. Amend the Zoning Bylaw, including, but not limited to creating a new Section III-EE Center Gateway (CG) Zoning District, and further amend the Zoning Bylaw to support the creation of the new CG Zoning District; and to amend the Natick Zoning Map to create a new Center Gateway Zoning District, as shown on the map on file in the Town Clerk's Office; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To promote the redevelopment of and reinvestment in private property so as to establish a transition from abutting zoning districts into Natick Center along a major transportation corridor.

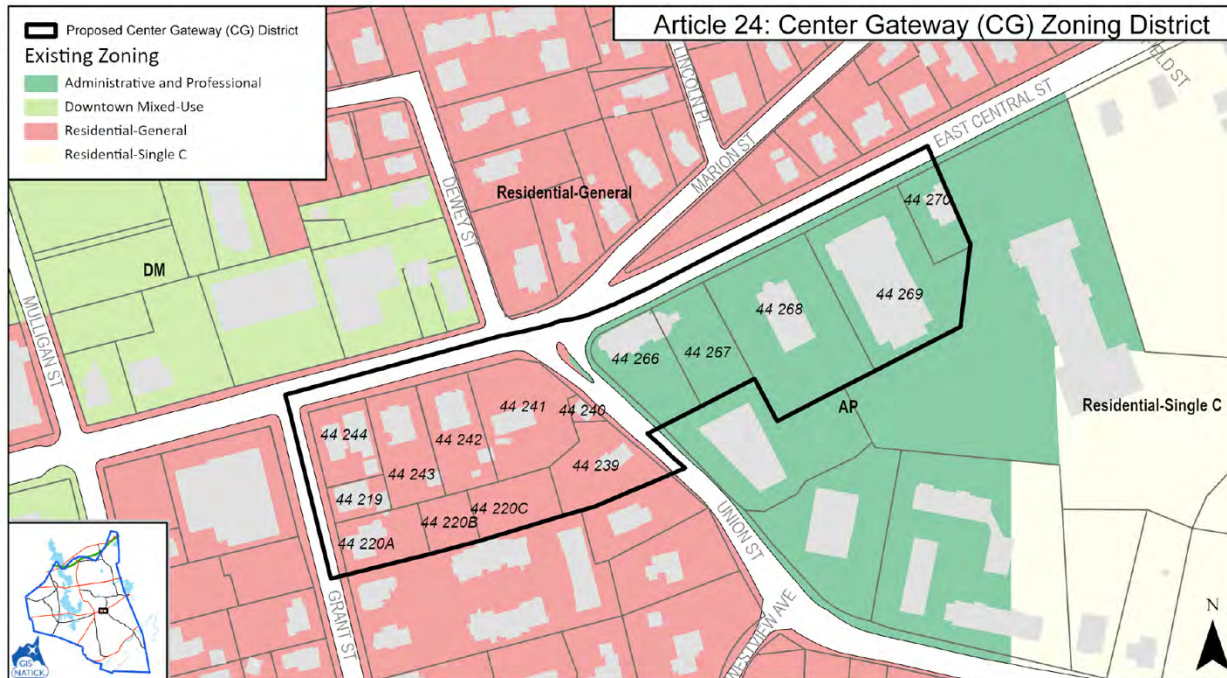
**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – ALL MOTIONS**

The Finance Committee met on March 23, 2023, and again on April 11, 2023, to discuss Article 24.

Amanda Loomis, Community and Economic Development Director, presented the article.

Ms. Loomis stated that the Center Gateway article was originally heard as 2022 FATM Article 24 under the title "East Central/Union Street Intersection (southern side)." After the public hearing process ended, the Planning Board identified flaws in the article's language and requested it be referred back to the Planning Board. In the months since Fall Town Meeting, we have been working with members of the community to make sure that it is ready to go and has all the issues resolved.

The intent is to create a transition between Natick Center, or the Downtown Mixed-Use District, and the other abutting zoning districts.



*The proposed Center Gateway district is outlined in black.*

Ms. Loomis identified, for reference, some of the parcels in the map:

- Morse Tavern is parcel 44 268 and the Armory is parcel 44 269
- The Community Senior Center is the large building on the right, which is not part of the district
- 44 239 is a single- or two-family house that has been unoccupied for quite some time
- The former Neighborhood Wrench is 44 241 and the pizza shop is 44 240
- Other properties on East Central or Grant St are two- or three- families. Parcels 44 220A, 44 220 B and 44 220C, at 6 Grant St, are all owned by the same owner. Two of those parcels are non-conforming, because they do not have frontage; they rely on the frontage of 6 Grant.

There's a significant topography change to the south of the district, which is why the boundary along 6 Grant and 5 Union was chosen. The Center Gateway could potentially be used in other areas of the community if it works well.

Changes were made to comply with the MBTA Communities requirements (MGL c. 40A Section 3A) which states that "An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right." In accordance with the Act, the district is within a half mile of a commuter rail station, allows multi-family use by-right and requires inclusionary housing (V-J), which is also affordable housing. However, because the Center Gateway district is also part of the Aquifer Protection District, which requires a special permit, this does not comply with the MBTA Communities requirements.

Ms. Loomis stated that we are allowing mixed-use with a special permit, with 50% of the first floor some type of commercial - it isn't just straight residential. Uses that we want to see would be allowed by site plan review. Other uses that are great but maybe not in every single location are special permits.

The dimensionals are similar to what exists in Downtown Mixed-Use (DM) or Natick Center. We are allowing 7,000 square foot lots for straight residential and 10,000 for commercial. The front setbacks and the side setbacks are significantly reduced. We are trying to create that transition from other zoning districts into what would be a gateway for the downtown, which is why we call it Center Gateway.

Ms. Loomis mentioned some changes since last fall:

- In Section VI-DD, there was a requirement for a site plan review to have a special permit. That was going to be a hindrance to being compliant with MBTA Communities, because it has to allow a multi-family by right. So we put in language to just require site plan review.
- In the Table of Use, there was a flip between the P's and the A's in part of the table. This is the reason for Article 25. We were requiring a special permit for restaurants when we want restaurants by right.
- Making sure that the compliance with the site plan review was taken care of in the front of the bylaw.

There were other minor updates such as making sure that we referenced the new inclusionary housing bylaw. In terms of the design review board, we decided to reference the language in the downtown mixed use rather than recreating something new. In the dimensional tables, there were also some minor changes. Ms. Terri Evans, Planning Board member, added that another addition from last fall was language that specifies that projects with frontage on East Central Street and/or Union Street shall provide a minimum of 50% of the first floor for non-residential uses.

#### Questions from the Committee

A member asked if electrical utilities would be buried. Ms. Loomis said she believes the site plan review does require utilities to be underground on private property. But on the roadway, that would be a bigger conversation with the utility company. Mr. Errickson added that this is a zoning bylaw amendment, it's just a policy change. There's no funding that goes with this for actual construction or development. At this time, there's no intent or no project on the horizon that would include improvements to this section of roadway or putting underground utilities at this location.

A member asked about how acceptable uses were determined: what is permitted, what's excluded and what is by special permit. Ms. Loomis said we started with what is allowed today in the DM zoning district and other districts and envisioned what we would like to see for this district. We were trying to allow for an increase in residential units. We weren't allowing one-family because everything in this proposed area is already two- or three-family. We are allowing multi-family by right because we wanted it to be compliant with the MBTA Communities (*as previously noted, the district is not compliant with MBTA Communities due to the special permit required for the Aquifer Protection District*).

We also considered what people want to see in this area such as some recreational uses. Some, such as farms, are not allowed due to the scale and size of the properties. We do want to see restaurants, so we were making sure that those were allowed by right. We wanted to make sure that they were uses that we would see on the outskirts of a community but also in the downtown area. So that's why we were allowing for light manufacturing because when you read the light manufacturing definition, there are

certain uses that would be great. But then there are also uses that you may not want to see in this type of environment; they require a special permit. Churches and religious institutions are allowed by right under the Dover amendment).

A member asked about height restrictions. Ms. Loomis answered that a single use non-residential like the Morse Tavern would be allowed to be 38 feet. A single use residential, such as a multi-family would be allowed to be 32 feet, probably 3 stories depending on the height of the ceiling.

A member asked why the block of Residential General (RG) to the west of this zone, the telephone building, was excluded. Ms. Loomis stated that the St. Patrick's church is also zoned RG. If we took out the Verizon building, it would be creating this one spot in RG with the church. We don't see the Verizon building being changed today and it may be better going into the DM district or CG. But we also need to look at the church as well. But this wouldn't be excluded in the future, we'd just want to do more research on it.

A member asked about the zoning for the former garage and pizza place. Ms. Loomis said we're proposing them to be in the Center Gateway to allow for the expansion of uses. The Wrench use may no longer be compliant because it's been vacant for so long. The pizza place would be allowed to continue as is because they are a preexisting use. If it was sold, it would be to operate as a pizza place, but not if it was vacated for more than two years.

A member asked about Section V-J and is there a limit on the number of residential units in a given lot under this zoning designation. Ms. Loomis stated that V-J is inclusionary housing, the requirement where we create the affordable units. She stated that parking regulations from the DM district significantly limits the number of residential units you could have on these parcels.

A member asked where else this district could apply. Ms. Loomis said we are looking at North Main Street by the old Calliope store, Stone's garage, and the pizza place. Another location is on South Main Street, south of the Common where there is a gas station and a convenience store. And maybe Pond Street, to help create that entrance into the gateway. We haven't done the research on any of these yet.

Planning Board member Andy Meyer stated that when the article was referred last fall, there were motions for favorable action from the Finance Committee and the Planning Board. We've had it on every agenda since Fall Town Meeting. We have had members of the public, local landowners, and representatives of local business owners attend these meetings and have had feedback from technical zoning experts in our town. This is a relatively small but important section of town which is absolutely ripe for redevelopment. The proposal is modest. It is within the current height limits that are there. It encourages a good mix of commercial and residential half mile or less from the MBTA, which means that the burden to approve is lower, which is exactly why they passed this on Beacon Hill. It might serve as an example to spur some redevelopment, and very well might be used in other parts of town.

Ms. Evans noted that when the Finance Committee first heard this article on March 23, 2023, the article had not been broken into three motions. This first motion, Motion A, establishes the district as a whole. The second motion, Motion B, establishes its definitions, uses, dimensional density regulations, parking and signage. The final motion, Motion C populates the district with lots.

## FINANCE COMMITTEE RECOMMENDATION – MOTION A

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION A<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION A (Requires a Majority Vote)

#### **MOTION A – Establish a New Zoning District**

**Move that the Town vote to amend Section II-A, Section III, and Section VI-DD as follows:**

***Move to add new § III-EE Center Gateway, as follows:***

#### **Section III-EE Center Gateway (CG)**

1. Purpose and Intent

To accommodate a variety of residential and non-residential uses, the CG district encourages a variety of building types while promoting redevelopment with a strong multi-modal streetscape and a physical form and design character that signals a transition to and from surrounding districts in relation to the Downtown Mixed Use (DM) district.

2. Use Regulations for CG Districts

- Projects within the CG district may include two or more uses as identified in the CG District in § III-A.2. Use Regulation Schedule.
- Residential Mixed-use Development and mixed-use developments shall require a special permit.
- All projects within the CG district shall be subject to Site Plan Review under § VI-DD of this Bylaw.
- Projects with four or more new residential units shall comply with §V-J.
- Projects within the CG district may have more than one building per lot.
- Projects with frontage on East Central Street and/or Union Street shall provide a minimum of 50 percent of the first floor for non-residential uses.

3. Design Review Board (DRB)

The Design Review Board, established under Section III-E.4 of this Bylaw, shall in addition to and consistent with its authority and specific powers set forth in Section III-E.4.C provide a written recommendation to the Planning Board relative to the design of the project, in accordance with Section III-E.4.D.1-6

4. Review Standards and Procedures

The Planning Board may adopt, and from time to time revise and amend, design standards and guidelines that will be applicable to all projects within the CG district. Such standards and guidelines shall be consistent with and promote the Purpose and Intent of the CG district.

5. Compliance

Projects within the CG shall comply with this Section III.EE. Wherever a conflict exists between two sections, this Section III.EE shall prevail.

***Move to amend the Natick Zoning Bylaw § II (Use Districts) A.1 (Types of Districts) to insert after “Indoor Recreational Overlay District (IROD)” a new line***

Center Gateway CG

***Move to amend the Natick Zoning Bylaw § VI-DD (Special Permit Procedures and Site Plan Review) 2.A.a.1 (Special Permits) by adding after Downtown Mixed Use (DMU) a new line***

Center Gateway (CG)

***Move to amend the Natick Zoning Bylaw § VI-DD.2.B.a) (Site Plan Review Applicability and SPGA Designation) by adding after Downtown Mixed Use (DMU) a new line***

Center Gateway (CG)

## FINANCE COMMITTEE RECOMMENDATION – MOTION B

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION B<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION B (Requires a Majority Vote)

#### MOTION B – Establish Definitions and Uses; Dimensional and Density Regulations; and Parking and Signage Regulations

**Move that the Town vote to amend Section 200 (Definitions), Section III-A (Use Regulations), Section IV-B (Intensity Regulations by Zoning District), and Section V-H (Signs and Advertising Devices) of the Natick Zoning Bylaws, as follows:**

**Amend** Section 200 – Definitions by inserting immediately after the definition for Minor Alteration:

**Mixed-use Development, Residential:** See RESIDENTIAL MIXED-USE DEVELOPMENT.

And, immediately after the definition for Renewable Energy Research and Development Facilities:

**Residential Mixed-use Development:** development containing a mix of residential uses and non-residential uses, including, without limitation, commercial, institutional, industrial, or other uses

**Amend** the Natick Zoning Bylaw § IV-B Intensity Regulations by Zoning District to insert immediately below the row for DM two new rows: one for CG (Residential Mixed-use Development; mixed-use development; single-use non-residential) and one for CG (single-use residential projects), and insert the associated footnote “cc”.

| District Designation                                                                      | Area   | Cont. Frontage | Depth | Front | Side | Rear | Maximum % Building coverage (including Accessory Building) | Maximum Height of Building (c)* | Open Space Requirement per lot |
|-------------------------------------------------------------------------------------------|--------|----------------|-------|-------|------|------|------------------------------------------------------------|---------------------------------|--------------------------------|
| CG (Residential Mixed-use Development; mixed-use development; single-use non-residential) | 10,000 | 80 (cc)        | 80    | 12    | 12   | 15   |                                                            | 38                              | 10%                            |
| CG (single-use residential)                                                               | 7,000  | 70 (cc)        | 80    | 20    | 12   | 15   |                                                            | 32                              | 20%                            |

(cc) Corner lot frontage: When a lot is bounded by more than one street, one of them, but only one, must be designated as the frontage street, provided the street meets the requirements for minimum lot frontage described in this Bylaw, with the following exception: in the case of a lot bounded by two streets forming an interior angle of more than 135°, their combined frontage may be used to satisfy the lot frontage requirement.

**Amend** the Natick Zoning Bylaw §V-D(3)b) Off-Street Parking and Loading Requirements For Multi-Family Dwellings to amend the sentence that begins “In a DM district...” by replacing the phrase “a DM district” with

CG and DM districts

so that the section reads as shown below.

*b) For Multi-Family Dwellings - One (1) space for one (1) bedroom or studio units, one and one-half (1 1/2) spaces for two (2) bedroom units, and two (2) spaces for units having three (3) or more bedrooms. All required spaces are to be provided within a distance not to exceed three hundred (300) feet from the building in which the specific family unit served is located. In a PCD District, parking lots shall not exceed 125 spaces in any one lot, and lots shall be at all points at least twenty-five (25) feet apart. \* For an AP Cluster Development, the parking requirements shall be one (1) space for a studio unit, and two (2) spaces for one or more bedrooms. In **CG and DM districts** there shall be one (1) space for a studio apartment, one (1) bedroom unit, or two (2) bedroom unit; and two (2) spaces for units having three (3) or more bedrooms. (Art. 45 S.T.M. April 7, 1987) (Art. 6, Fall T.M. 10/20/20) Note: Any housing which is specifically designed and constructed to meet the needs of the elderly may reduce the parking requirements for all such units by one-half.*

**Amend** the Natick Zoning Bylaw §V-H. (Signs and Advertising Devices) as follows:

- a. In the title for §V-H.D.2 Downtown Mixed Use District (DM), after “Downtown Mixed Use District (DM)” insert the phrase

Center Gateway District (CG)

So that the title to read as follows

2. Downtown Mixed Use District (DM) and Center Gateway District (CG)

- b. In §V-H.D.2(a) (Accessory Signs), after Downtown Mixed Use District (DM) delete the word “area” and insert at that point the phrase

- i. and the Center Gateway District (CG)

so that the line now reads

*In Downtown Mixed Use District (DM) and the Center Gateway District (CG), accessory signs that comply with the provisions hereinafter set forth are permitted.*

**Amend** the Natick Zoning Bylaw § VI-DD.2.B.d) (Site Plan Review Applicability and SPGA Designation) by inserting after AP (Administrative & Professional) District the phrase

and Center Gateway District (CG)

so that it now reads

*d) All uses, other than Use No. 1, which are permitted or allowed under the Use Regulation Schedule in the AP (Administrative & Professional) District and Center Gateway District (CG) shall be subject to the Site Plan Review procedures described herein, with the Planning Board acting as the SPGA for all such review procedures.*

**Amend** the Natick Zoning Bylaw § III-A.2 (Use Regulations Schedule) to add a new column titled CG, and designate uses with Permitted (Y), Excluded or Prohibited (N), and Special Permit (SP) as follows:

| (Category details below are as they appear in the current Use Regulation Schedule) |                                                                                                                                                                                                                                                                                                                                                               | CG |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| RESIDENTIAL USE                                                                    |                                                                                                                                                                                                                                                                                                                                                               |    |
| 1                                                                                  | One-family detached dwelling                                                                                                                                                                                                                                                                                                                                  | N  |
| 1A                                                                                 | Family Suite                                                                                                                                                                                                                                                                                                                                                  | N  |
| 2                                                                                  | One-family detached dwelling for personnel required for the safe operation of a permitted use to reside on the premises thereof.                                                                                                                                                                                                                              | N  |
| 3                                                                                  | Two-family or semi-detached dwelling                                                                                                                                                                                                                                                                                                                          | SP |
| 4                                                                                  | Multiple family building types for not less than three (3) dwelling units in any one building, such as: apartment houses and/or town houses, subject to and compliant with the provisions of Section V-J.                                                                                                                                                     | Y  |
| 5                                                                                  | Alteration and conversion of a one-family house existing at the time of the adoption of this by-law, to accommodate two families if located on a lot having an area at least twenty-five percent greater than required for a one-family house.                                                                                                                | N  |
| 6                                                                                  | Tourist Home                                                                                                                                                                                                                                                                                                                                                  | SP |
| 7                                                                                  | Hotel and Motel                                                                                                                                                                                                                                                                                                                                               | SP |
| 8                                                                                  | Renting of one or two rooms and the furnishing of board by a resident family to not more than three non-transient persons.                                                                                                                                                                                                                                    | N  |
| 9                                                                                  | Private garage or outdoor vehicle storage in connection with a dwelling for not more than three motor vehicles which shall not include more than one commercial vehicle two and one-half tons gross weight or more than one vehicle owned by a non-resident of the premises except in the case of a farm operated on a full-time basis by a resident thereon. | N  |
| RECREATIONAL USE                                                                   |                                                                                                                                                                                                                                                                                                                                                               |    |
| 10                                                                                 | Country club, including golf, by natural light only, riding, tennis and boat houses.                                                                                                                                                                                                                                                                          | N  |
| 10A                                                                                | Country club, including golf, by natural light only, riding, tennis and boat houses and community centers for exclusive use of the residents of the particular district in which it is located.                                                                                                                                                               | N  |
| 11                                                                                 | Lodge building or other non-profit social or civic use, but not including any use of the principal activity of which is one customarily conducted as a business.                                                                                                                                                                                              | Y  |
| 12                                                                                 | Indoor amusement or recreation place or place of assembly provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred feet from a residential district.                                                                                                                            | SP |

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |    |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 13                   | Commercial outdoor amusement or recreation use, but not including outdoor movie theater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | SP |
| 14                   | Outdoor movie theater ( <b>DELETED</b> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |    |
| 15                   | Farm for the raising, keeping and sale of cattle, horses, sheep, goats and for the growing and sale of all agricultural products including fruits, vegetables, hay and grain, all dairy produce, and eggs.                                                                                                                                                                                                                                                                                                                                                                                            | N  |
| 16                   | Premises for the raising of swine, poultry, fowl, and fur-bearing animals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | N  |
| 17                   | A stall or stand for selling farm or garden products a major portion of which is raised or produced on the premises by the owner or lessee thereof.                                                                                                                                                                                                                                                                                                                                                                                                                                                   | N  |
| <b>BUSINESS USES</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |    |
| 18                   | Greenhouse, nursery and truck garden.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | N  |
| 19                   | Customary home occupation within the principal building conducted by a resident of the premises (or by owners of the premises where such premises abut Route 135 (Central Street) and are within the Central Fire District) provided that not more than one other person is regularly employed therein in connection with such use; that not more than twenty-five per cent of the total floor area not to exceed four hundred square feet is regularly devoted to such use; that there is no exterior storage of materials or equipment; and that no display of products is visible from the street. | SP |
| 20                   | Building accessory to a dwelling or premises to be used as an office or workroom for the conduct of a professional office or studio or customary home occupation by a resident thereon provided that the same conditions shall apply as hereinbefore set forth for such use in a dwelling                                                                                                                                                                                                                                                                                                             | SP |
| 21                   | Dumps and use of land for the disposal of refuse by the sanitary-fill method provided the same is also approved by the Board of Health and vote of the Town.                                                                                                                                                                                                                                                                                                                                                                                                                                          | N  |
| 22                   | Retail stores.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Y  |
| 22A                  | Adult Uses <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | N  |
| 22B                  | Body Art Establishments * See Note 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N  |
| 23                   | Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with no repair services excluding used-car lots.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | N  |
| 23A                  | Limited salesroom for motor vehicles                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N  |

|            |                                                                                                                                                                                                                                                            |    |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| <b>24</b>  | Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with repair services and storage including used-car lots.                                                                                                                    | N  |
| <b>25</b>  | Wholesale or retail office or showroom with inside storage of goods for sale on premises only.                                                                                                                                                             | Y  |
| <b>26</b>  | For an office, studio or workroom connected and strictly accessory to the residence of the occupant, and in which no activity inappropriate to the district shall be carried on.                                                                           | SP |
| <b>27</b>  | Business or professional office or agency, bank or other financial institution                                                                                                                                                                             | Y  |
| <b>27A</b> | Administrative offices, clerical offices, statistical offices and establishments for research and development.                                                                                                                                             | Y  |
| <b>28</b>  | Craft, consumer, professional or commercial service establishments dealing directly with the general public.                                                                                                                                               | Y  |
| <b>29</b>  | Undertaking establishment or funeral home.                                                                                                                                                                                                                 | N  |
| <b>30</b>  | Repair garage for motor vehicles.                                                                                                                                                                                                                          | N  |
| <b>31</b>  | Commercial parking lot or parking garage, filling or service station.*                                                                                                                                                                                     | N  |
| <b>31A</b> | A facility exclusively for, or whose principal activity is, the changing of oil and related lubrication services on motor vehicles. *                                                                                                                      | N  |
| <b>31B</b> | Carwash**                                                                                                                                                                                                                                                  | N  |
| <b>32</b>  | Auto body, soldering, or welding shop.                                                                                                                                                                                                                     | N  |
| <b>33</b>  | Animal or veterinary hospital providing it is located 200 ft. from nearest residential dwelling.                                                                                                                                                           | Y  |
| <b>34</b>  | Printing or publishing establishment provided that not more than 5000 SF are used for work and storage                                                                                                                                                     | Y  |
|            | a. over 5,000 sq. ft.                                                                                                                                                                                                                                      | N  |
| <b>35</b>  | Off-street parking as hereinafter permitted.                                                                                                                                                                                                               | Y  |
| <b>36</b>  | Restaurant, tea rooms, lunchrooms or other places serving beverages inside a building.                                                                                                                                                                     | Y  |
| <b>37</b>  | Cafeteria or restaurant for sole purpose of personnel employed on premises of permitted use.                                                                                                                                                               | Y  |
| <b>38</b>  | Restaurant or other places serving food or permitted beverages and providing live or mechanical entertainment or serving customers outside of buildings.                                                                                                   | SP |
| <b>38A</b> | The serving of food and/or permitted beverages, with or w/o accompanying entertainment, on the premises of a hotel, including without limitation, all restaurants, cocktail lounges, room service facilities, meeting and function rooms on said premises. | SP |

|                            |                                                                                                                                                                                                                                                                                                                                                            |    |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| <b>38B</b>                 | Specialty craft fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises.                                                                                                                                                                                         | SP |
| <b>INDUSTRIAL USES</b>     |                                                                                                                                                                                                                                                                                                                                                            |    |
| <b>38C</b>                 | Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises.                                                                                                                                                                                                 | SP |
| <b>39</b>                  | Light manufacturing uses (including renewable or alternative energy light manufacturing uses) when the processes involved entail only fabrication, assembly, finishing work, packaging, or commercial food production, conducted in such a manner that noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises. | SP |
| <b>39A</b>                 | Ancillary Outlet**                                                                                                                                                                                                                                                                                                                                         | SP |
| <b>40</b>                  | General industrial uses including manufacturing, renewable or alternative energy manufacturing, processing, or other industrial operations that will not be offensive to adjoining districts in respect to obnoxious noise, smoke, dust, odor, waste disposal, vibration or similar objectionable features.                                                | N  |
| <b>40A</b>                 | Renewable or alternative energy research and development facilities                                                                                                                                                                                                                                                                                        | N  |
| <b>41</b>                  | Warehouses (excluding retail warehouses), for storage of any personal property with no sales taking place on the premises; and open storage yards of lumber, stone, brick, gravel, cement, and contractor's equipment, or other bulky merchandise, which may be sold on the premises.                                                                      | N  |
| <b>42</b>                  | Junk Yards (Enclosed by a 10' high fence or other closed screen acceptable to Building Inspector.                                                                                                                                                                                                                                                          | N  |
| <b>TRANSPORTATION USES</b> |                                                                                                                                                                                                                                                                                                                                                            |    |
| <b>43</b>                  | Private landing area to be used solely for the landing, taking off, and storage of privately owned airplanes and/or helicopter.                                                                                                                                                                                                                            | N  |
| <b>44</b>                  | Motor freight or other transportation terminals; yards for the servicing of trucks and trailers.                                                                                                                                                                                                                                                           | N  |
| <b>INSTITUTIONAL USES</b>  |                                                                                                                                                                                                                                                                                                                                                            |    |
| <b>45</b>                  | Municipal facility and building for public uses and purposes, including a Town-owned dump.                                                                                                                                                                                                                                                                 | SP |
| <b>46</b>                  | Public service and public utility structure including telephone exchange.                                                                                                                                                                                                                                                                                  | SP |
| <b>46A</b>                 | Wireless Communications Facility, including only a BMWCF, an AWCF, and co-locating a WCF on an existing free standing monopole or lattice tower.◊                                                                                                                                                                                                          | SP |
| <b>46B</b>                 | Wireless Communications Facility, including only a free standing monopole.◊                                                                                                                                                                                                                                                                                | SP |

|                   |                                                                                                                                                                                                                  |    |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| <b>46C</b>        | Indoor Wireless Communications Facility (IWCF). <sup>Δ</sup>                                                                                                                                                     | Y  |
| <b>46D</b>        | Facilities for housing telecommunications equipment, such as sites where network systems can be interconnected to the fiber optic highband cable network, or to such network as it may be modified hereafter. ** | N  |
| <b>47</b>         | Church, rectory, convent, parish house, and other religious institutions. ‡                                                                                                                                      | Y  |
| <b>48</b>         | Schools: public, religious sectarian, or private. ‡                                                                                                                                                              | Y  |
| <b>49</b>         | Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.* ‡                                                                         | Y  |
| <b>50</b>         | Sanitarium, or nursing, or rest home.                                                                                                                                                                            | SP |
| <b>50A</b>        | Health Care facility, including a hospital, diagnostic and health care professional offices.                                                                                                                     |    |
|                   | i. under 2500 sq. ft.                                                                                                                                                                                            | Y  |
|                   | ii. over 2500 sq. ft.                                                                                                                                                                                            | Y  |
| <b>50B</b>        | Assisted Living Residence                                                                                                                                                                                        | SP |
| <b>51</b>         | Cemetery                                                                                                                                                                                                         | N  |
| <b>52</b>         | Library or museum                                                                                                                                                                                                | Y  |
| <b>OTHER USES</b> |                                                                                                                                                                                                                  |    |
| <b>53</b>         | Commercial Boarding or Training Dog Kennel                                                                                                                                                                       | N  |
| <b>53A</b>        | Commercial Breeder                                                                                                                                                                                               | N  |
| <b>53B</b>        | Home Occupation/Customary Home Occupation Dog Kennel                                                                                                                                                             | N  |
| <b>53C</b>        | Personal Dog Kennel                                                                                                                                                                                              | N  |
| <b>54</b>         | Signs as hereinafter permitted                                                                                                                                                                                   | Y  |
| <b>55</b>         | Other accessory uses normally incidental to a permitted use                                                                                                                                                      | SP |

~~ END OF MOTION B ~~

*Note: if Town Meeting does not vote favorable action on SATM Article 25 “Amend Zoning Bylaw: Use Regulations Schedule” prior to considering Article 24, this is a substitute Main Motion B which keeps the original notation of P for permitted use, O for excluded or prohibited use and A for uses allowed under a Special Permit.*

## **SUBSTITUTE MAIN MOTION B**

**MOTION B – Establish Definitions and Uses; Dimensional and Density Regulations; and Parking and Signage Regulations**

**Move that the Town vote to amend Section 200 (Definitions), Section III-A (Use Regulations), Section IV-B (Intensity Regulations by Zoning District), and Section V-H (Signs and Advertising Devices) of the Natick Zoning Bylaws, as follows:**

**Amend** Section 200 – Definitions by inserting immediately after the definition for Minor Alteration:

**Mixed-use Development, Residential:** See RESIDENTIAL MIXED-USE DEVELOPMENT.

And, immediately after the definition for Renewable Energy Research and Development Facilities:

**Residential Mixed-use Development:** development containing a mix of residential uses and non-residential uses, including, without limitation, commercial, institutional, industrial, or other uses

**Amend** the Natick Zoning Bylaw § IV-B Intensity Regulations by Zoning District to insert immediately below the row for DM two new rows: one for CG (Residential Mixed-use Development; mixed-use development; single-use non-residential) and one for CG (single-use residential projects), and insert the associated footnote “cc”.

| District Designation                                                                      | Area   | Cont. Frontage | Depth | Front | Side | Rear | Maximum % Building coverage (including Accessory Building) | Maximum Height of Building (c)* | Open Space Requirement per lot |
|-------------------------------------------------------------------------------------------|--------|----------------|-------|-------|------|------|------------------------------------------------------------|---------------------------------|--------------------------------|
| CG (Residential Mixed-use Development; mixed-use development; single-use non-residential) | 10,000 | 80 (cc)        | 80    | 12    | 12   | 15   |                                                            | 38                              | 10%                            |
| CG (single-use residential)                                                               | 7,000  | 70 (cc)        | 80    | 20    | 12   | 15   |                                                            | 32                              | 20%                            |

(cc) Corner lot frontage: When a lot is bounded by more than one street, one of them, but only one, must be designated as the frontage street, provided the street meets the requirements for minimum lot frontage described in this Bylaw, with the following exception: in the case of a lot bounded by two streets forming an interior angle of more than 135°, their combined frontage may be used to satisfy the lot frontage requirement.

**Amend** the Natick Zoning Bylaw §V-D(3)b) Off-Street Parking and Loading Requirements For Multi-Family Dwellings to amend the sentence that begins “In a DM district...” by replacing the phrase “a DM district” with

CG and DM districts

so that the section reads as shown below.

*b) For Multi-Family Dwellings - One (1) space for one (1) bedroom or studio units, one and one-half (1 1/2) spaces for two (2) bedroom units, and two (2) spaces for units having three (3) or more bedrooms. All required spaces are to be provided within a distance not to exceed three hundred (300) feet from the building in which the specific family unit served is located. In a PCD District, parking lots shall not exceed 125 spaces in any one lot, and lots shall be at all points at least twenty-five (25) feet apart.\* For an AP Cluster Development, the parking requirements shall be one (1) space for a studio unit, and two (2) spaces for one or more bedrooms. In **CG and DM districts** there shall be one (1) space for a studio apartment, one (1) bedroom unit, or two (2) bedroom unit; and two (2) spaces for units having three (3) or more bedrooms. (Art. 45 S.T.M. April 7, 1987) (Art. 6, Fall T.M. 10/20/20) Note: Any housing which is specifically designed and constructed to meet the needs of the elderly may reduce the parking requirements for all such units by one-half.*

**Amend** the Natick Zoning Bylaw §V-H. (Signs and Advertising Devices) as follows:

- a. In the title for §V-H.D.2 Downtown Mixed Use District (DM), after “Downtown Mixed Use District (DM)” insert the phrase

Center Gateway District (CG)

So that the title to read as follows

2. Downtown Mixed Use District (DM) and Center Gateway District (CG)

- b. In §V-H.D.2(a) (Accessory Signs), after Downtown Mixed Use District (DM) delete the word “area” and insert at that point the phrase

- i. and the Center Gateway District (CG)

so that the line now reads

*In Downtown Mixed Use District (DM) and the Center Gateway District (CG), accessory signs that comply with the provisions hereinafter set forth are permitted.*

**Amend** the Natick Zoning Bylaw § VI-DD.2.B.d) (Site Plan Review Applicability and SPGA Designation) by inserting after AP (Administrative & Professional) District the phrase

and Center Gateway District (CG)

so that it now reads

*d) All uses, other than Use No. 1, which are permitted or allowed under the Use Regulation Schedule in the AP (Administrative & Professional) District and Center Gateway District (CG) shall be subject to the Site Plan Review procedures described herein, with the Planning Board acting as the SPGA for all such review procedures.*

**Amend** the Natick Zoning Bylaw § III-A.2 (Use Regulations Schedule) to add a new column titled CG, and designate uses with Permitted (Y), Excluded or Prohibited (N), and Special Permit (SP) as follows:

| (Category details below are as they appear in the current Use Regulation Schedule) |                                                                                                                                                                                                                                                                                                                                                               | CG |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| RESIDENTIAL USE                                                                    |                                                                                                                                                                                                                                                                                                                                                               |    |
| 1                                                                                  | One-family detached dwelling                                                                                                                                                                                                                                                                                                                                  | O  |
| 1A                                                                                 | Family Suite                                                                                                                                                                                                                                                                                                                                                  | O  |
| 2                                                                                  | One-family detached dwelling for personnel required for the safe operation of a permitted use to reside on the premises thereof.                                                                                                                                                                                                                              | O  |
| 3                                                                                  | Two-family or semi-detached dwelling                                                                                                                                                                                                                                                                                                                          | A  |
| 4                                                                                  | Multiple family building types for not less than three (3) dwelling units in any one building, such as: apartment houses and/or town houses, subject to and compliant with the provisions of Section V-J.                                                                                                                                                     | P  |
| 5                                                                                  | Alteration and conversion of a one-family house existing at the time of the adoption of this by-law, to accommodate two families if located on a lot having an area at least twenty-five percent greater than required for a one-family house.                                                                                                                | O  |
| 6                                                                                  | Tourist Home                                                                                                                                                                                                                                                                                                                                                  | A  |
| 7                                                                                  | Hotel and Motel                                                                                                                                                                                                                                                                                                                                               | A  |
| 8                                                                                  | Renting of one or two rooms and the furnishing of board by a resident family to not more than three non-transient persons.                                                                                                                                                                                                                                    | O  |
| 9                                                                                  | Private garage or outdoor vehicle storage in connection with a dwelling for not more than three motor vehicles which shall not include more than one commercial vehicle two and one-half tons gross weight or more than one vehicle owned by a non-resident of the premises except in the case of a farm operated on a full-time basis by a resident thereon. | O  |
| RECREATIONAL USE                                                                   |                                                                                                                                                                                                                                                                                                                                                               |    |
| 10                                                                                 | Country club, including golf, by natural light only, riding, tennis and boat houses.                                                                                                                                                                                                                                                                          | O  |
| 10A                                                                                | Country club, including golf, by natural light only, riding, tennis and boat houses and community centers for exclusive use of the residents of the particular district in which it is located.                                                                                                                                                               | O  |
| 11                                                                                 | Lodge building or other non-profit social or civic use, but not including any use of the principal activity of which is one customarily conducted as a business.                                                                                                                                                                                              | P  |
| 12                                                                                 | Indoor amusement or recreation place or place of assembly provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred feet from a residential district.                                                                                                                            | A  |
| 13                                                                                 | Commercial outdoor amusement or recreation use, but not including outdoor movie theater.                                                                                                                                                                                                                                                                      | A  |

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |   |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <b>14</b>            | Outdoor movie theater ( <b>DELETED</b> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |   |
| <b>15</b>            | Farm for the raising, keeping and sale of cattle, horses, sheep, goats and for the growing and sale of all agricultural products including fruits, vegetables, hay and grain, all dairy produce, and eggs.                                                                                                                                                                                                                                                                                                                                                                                            | O |
| <b>16</b>            | Premises for the raising of swine, poultry, fowl, and fur-bearing animals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | O |
| <b>17</b>            | A stall or stand for selling farm or garden products a major portion of which is raised or produced on the premises by the owner or lessee thereof.                                                                                                                                                                                                                                                                                                                                                                                                                                                   | O |
| <b>BUSINESS USES</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |   |
| <b>18</b>            | Greenhouse, nursery and truck garden.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | O |
| <b>19</b>            | Customary home occupation within the principal building conducted by a resident of the premises (or by owners of the premises where such premises abut Route 135 (Central Street) and are within the Central Fire District) provided that not more than one other person is regularly employed therein in connection with such use; that not more than twenty-five per cent of the total floor area not to exceed four hundred square feet is regularly devoted to such use; that there is no exterior storage of materials or equipment; and that no display of products is visible from the street. | A |
| <b>20</b>            | Building accessory to a dwelling or premises to be used as an office or workroom for the conduct of a professional office or studio or customary home occupation by a resident thereon provided that the same conditions shall apply as hereinbefore set forth for such use in a dwelling                                                                                                                                                                                                                                                                                                             | A |
| <b>21</b>            | Dumps and use of land for the disposal of refuse by the sanitary-fill method provided the same is also approved by the Board of Health and vote of the Town.                                                                                                                                                                                                                                                                                                                                                                                                                                          | O |
| <b>22</b>            | Retail stores.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | P |
| <b>22A</b>           | Adult Uses <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | O |
| <b>22B</b>           | Body Art Establishments * See Note 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | O |
| <b>23</b>            | Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with no repair services excluding used-car lots.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | O |
| <b>23A</b>           | Limited salesroom for motor vehicles                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | O |
| <b>24</b>            | Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with repair services and storage including used-car lots.                                                                                                                                                                                                                                                                                                                                                                                                                                                               | O |
| <b>25</b>            | Wholesale or retail office or showroom with inside storage of goods for sale on premises only.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | P |

|                        |                                                                                                                                                                                                                                                            |   |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <b>26</b>              | For an office, studio or workroom connected and strictly accessory to the residence of the occupant, and in which no activity inappropriate to the district shall be carried on.                                                                           | A |
| <b>27</b>              | Business or professional office or agency, bank or other financial institution                                                                                                                                                                             | P |
| <b>27A</b>             | Administrative offices, clerical offices, statistical offices and establishments for research and development.                                                                                                                                             | P |
| <b>28</b>              | Craft, consumer, professional or commercial service establishments dealing directly with the general public.                                                                                                                                               | P |
| <b>29</b>              | Undertaking establishment or funeral home.                                                                                                                                                                                                                 | O |
| <b>30</b>              | Repair garage for motor vehicles.                                                                                                                                                                                                                          | O |
| <b>31</b>              | Commercial parking lot or parking garage, filling or service station.*                                                                                                                                                                                     | O |
| <b>31A</b>             | A facility exclusively for, or whose principal activity is, the changing of oil and related lubrication services on motor vehicles. *                                                                                                                      | O |
| <b>31B</b>             | Carwash**                                                                                                                                                                                                                                                  | O |
| <b>32</b>              | Auto body, soldering, or welding shop.                                                                                                                                                                                                                     | O |
| <b>33</b>              | Animal or veterinary hospital providing it is located 200 ft. from nearest residential dwelling.                                                                                                                                                           | P |
| <b>34</b>              | Printing or publishing establishment provided that not more than 5000 SF are used for work and storage                                                                                                                                                     | P |
|                        | a. over 5,000 sq. ft.                                                                                                                                                                                                                                      | O |
| <b>35</b>              | Off-street parking as hereinafter permitted.                                                                                                                                                                                                               | P |
| <b>36</b>              | Restaurant, tea rooms, lunchrooms or other places serving beverages inside a building.                                                                                                                                                                     | P |
| <b>37</b>              | Cafeteria or restaurant for sole purpose of personnel employed on premises of permitted use.                                                                                                                                                               | P |
| <b>38</b>              | Restaurant or other places serving food or permitted beverages and providing live or mechanical entertainment or serving customers outside of buildings.                                                                                                   | A |
| <b>38A</b>             | The serving of food and/or permitted beverages, with or w/o accompanying entertainment, on the premises of a hotel, including without limitation, all restaurants, cocktail lounges, room service facilities, meeting and function rooms on said premises. | A |
| <b>38B</b>             | Specialty craft fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises.                                                                                         | A |
| <b>INDUSTRIAL USES</b> |                                                                                                                                                                                                                                                            |   |

|                            |                                                                                                                                                                                                                                                                                                                                                            |   |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <b>38C</b>                 | Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises.                                                                                                                                                                                                 | A |
| <b>39</b>                  | Light manufacturing uses (including renewable or alternative energy light manufacturing uses) when the processes involved entail only fabrication, assembly, finishing work, packaging, or commercial food production, conducted in such a manner that noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises. | A |
| <b>39A</b>                 | Ancillary Outlet**                                                                                                                                                                                                                                                                                                                                         | A |
| <b>40</b>                  | General industrial uses including manufacturing, renewable or alternative energy manufacturing, processing, or other industrial operations that will not be offensive to adjoining districts in respect to obnoxious noise, smoke, dust, odor, waste disposal, vibration or similar objectionable features.                                                | O |
| <b>40A</b>                 | Renewable or alternative energy research and development facilities                                                                                                                                                                                                                                                                                        | O |
| <b>41</b>                  | Warehouses (excluding retail warehouses), for storage of any personal property with no sales taking place on the premises; and open storage yards of lumber, stone, brick, gravel, cement, and contractor's equipment, or other bulky merchandise, which may be sold on the premises.                                                                      | O |
| <b>42</b>                  | Junk Yards (Enclosed by a 10' high fence or other closed screen acceptable to Building Inspector.                                                                                                                                                                                                                                                          | O |
| <b>TRANSPORTATION USES</b> |                                                                                                                                                                                                                                                                                                                                                            |   |
| <b>43</b>                  | Private landing area to be used solely for the landing, taking off, and storage of privately owned airplanes and/or helicopter.                                                                                                                                                                                                                            | O |
| <b>44</b>                  | Motor freight or other transportation terminals; yards for the servicing of trucks and trailers.                                                                                                                                                                                                                                                           | O |
| <b>INSTITUTIONAL USES</b>  |                                                                                                                                                                                                                                                                                                                                                            |   |
| <b>45</b>                  | Municipal facility and building for public uses and purposes, including a Town-owned dump.                                                                                                                                                                                                                                                                 | A |
| <b>46</b>                  | Public service and public utility structure including telephone exchange.                                                                                                                                                                                                                                                                                  | A |
| <b>46A</b>                 | Wireless Communications Facility, including only a BMWCF, an AWCF, and co-locating a WCF on an existing free standing monopole or lattice tower.∅                                                                                                                                                                                                          | A |
| <b>46B</b>                 | Wireless Communications Facility, including only a free standing monopole.∅                                                                                                                                                                                                                                                                                | A |
| <b>46C</b>                 | Indoor Wireless Communications Facility (IWCF).∅                                                                                                                                                                                                                                                                                                           | P |

|                   |                                                                                                                                                                                                                  |   |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <b>46D</b>        | Facilities for housing telecommunications equipment, such as sites where network systems can be interconnected to the fiber optic highband cable network, or to such network as it may be modified hereafter. ** | O |
| <b>47</b>         | Church, rectory, convent, parish house, and other religious institutions. ‡                                                                                                                                      | P |
| <b>48</b>         | Schools: public, religious sectarian, or private. ‡                                                                                                                                                              | P |
| <b>49</b>         | Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.* ‡                                                                         | P |
| <b>50</b>         | Sanitarium, or nursing, or rest home.                                                                                                                                                                            | A |
| <b>50A</b>        | Health Care facility, including a hospital, diagnostic and health care professional offices.                                                                                                                     |   |
|                   | i. under 2500 sq. ft.                                                                                                                                                                                            | P |
|                   | ii. over 2500 sq. ft.                                                                                                                                                                                            | P |
| <b>50B</b>        | Assisted Living Residence                                                                                                                                                                                        | A |
| <b>51</b>         | Cemetery                                                                                                                                                                                                         | O |
| <b>52</b>         | Library or museum                                                                                                                                                                                                | P |
| <b>OTHER USES</b> |                                                                                                                                                                                                                  |   |
| <b>53</b>         | Commercial Boarding or Training Dog Kennel                                                                                                                                                                       | O |
| <b>53A</b>        | Commercial Breeder                                                                                                                                                                                               | O |
| <b>53B</b>        | Home Occupation/Customary Home Occupation Dog Kennel                                                                                                                                                             | O |
| <b>53C</b>        | Personal Dog Kennel                                                                                                                                                                                              | O |
| <b>54</b>         | Signs as hereinafter permitted                                                                                                                                                                                   | P |
| <b>55</b>         | Other accessory uses normally incidental to a permitted use                                                                                                                                                      | A |

~~ END OF SUBSTITUTE MOTION B ~~

## FINANCE COMMITTEE RECOMMENDATION – MOTION C

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION C<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>April 11, 2023</b>   |

### **MOTION C** (Requires a Majority Vote)

#### **MOTION C – Add Land to the Center Gateway District**

**Move that the Town vote to amend the Town of Natick Zoning Map, in accordance with Section III-B (Location of Districts: Zones) of the Natick Zoning Bylaws as follows:**

**by changing the zoning of the following parcels from Residential General District (RG) to Center Gateway District (CG):**

44-0000244, 44-0000243, 44-00000242, 44-00000241, 44-00000219, 44-0000220A, 44-0000220B, 44-0000220C, 44-00000240, and 44-00000239

**And by changing the zoning for the following parcels from Administrative Professional (AP) to Center Gateway District (CG):**

44-00000266, 44-00000267, 44-00000268, 44-0000269, 44-0000270

**And to amend** the Natick Zoning Map so that the respective frontage to the centerline of the roadway shall be further rezoned as Center Gateway (CG) Zoning District.

## FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTION C

A member asked if these were the same parcels that were proposed last fall. Ms. Loomis confirmed that they are.

~~ END OF ARTICLE ~~

**ARTICLE 25**  
**Amend Zoning Bylaw: Use Regulations Schedule**  
**(Planning Board)**

**ARTICLE LANGUAGE**

To see if the Town will vote to amend the Natick Zoning Bylaw, Section III-A.1 Permitted Uses in Districts, and Section III-A.2 Use Regulations Schedule; or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To provide clarity for users of the Use Regulations Table by changing the notation and cleaning up scrivener's errors. The current Use Regulation Table is not in a grid table format, often creating confusion as to which line goes with which information.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTIONS A & B**

The Finance Committee met on April 11, 2023 to discuss Article 25.

Amanda Loomis, Community and Economic Development Director, presented the article.

Ms. Loomis stated that Article 25 changes the notation in the Use Regulations Table. Currently the table uses the letters P, O and A where P means permitted, O means excluded or prohibited and A means a special permit is needed. There's general agreement that the current use of P, O and A is confusing. People often think P means you need a permit, or they think A means the use is allowed by right. So P will become Y, O will become N and A will become SP. This convention occurs elsewhere in the marijuana regulation bylaw, where we already use Y, N and SP, so we are being consistent with that section. We've triple checked the table to ensure that everything is correct.

Ms. Terri Evans, Planning Board member, noted that there are two motions. The first, Motion A, revises the notations at the beginning of Section III-A.1. The second, Motion B, changes the notations in the table itself along with a handful of cleanups of scriveners' errors that are in the existing table.

Ms. Loomis stated this is the first phase of updating the Use Regulations Table. The second phase would be a complete cleanup of all the footnotes, and clarification of some use cases, like Dover Amendments. The Downtown Mixed-Use district has uses within the DM bylaw, rather than the table of uses. We'd like to pull those asterisked uses out of the bylaw and put them into the table of use instead.

A member asked if there was any pushback or negative feedback from the public. Ms. Loomis stated that we had 99.9% of the people say this is a great change. They're often confused with current notation and Y, N and SPs are pretty self-explanatory. We had just one person not fully on board with this, but that was it.

## FINANCE COMMITTEE RECOMMENDATION – MOTION A

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION A<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION A (Requires a 2/3 Vote)

Move that the Town vote to amend Section III-A – Use Regulations as follows:

**MOTION A - Revise notations associated with permitted, prohibited, and special permit uses in zoning districts for clarity**

Move to amend § III-A.1 PERMITTED USES IN DISTRICTS (ZONES AS SET OUT IN SECTION II-A & B) to delete the notation “P” and replace with Y for a permitted use; delete the notation “O” and replace with “N” for an excluded or prohibited use; and delete the notation “A” and replace with “SP” for a use allowed under a Special Permit, so that the amended language reads as follows

- a. *In such Districts no building or structure shall be erected or used and no premises shall be used except as set forth in the "Use Regulations Schedule" herein and in accordance with the following notations:*
- Y        -    A permitted use*
  - N        -    An excluded or prohibited use*
  - SP      -    Use allowed under a Special Permit as granted by a Special Permit Granting Authority and as designated elsewhere  
              in this By-Law (RS includes all Single Residence Districts unless otherwise specified)*

## FINANCE COMMITTEE RECOMMENDATION – MOTION B

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION B<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>April 11, 2023</b>   |

### MOTION B (Requires a 2/3 Vote)

**MOTION B – Amend notations in the table as per Motion A; reformat Use Regulation Schedule as a table; and address scrivener’s errors**

Move to amend Section III-A.2 USE REGULATION SCHEDULE by re-formatting the Use Regulation Table as a formal table; to amend the notations from P to Y for a permitted use, from O to N for an excluded or prohibited use, and from A to SP for a use allowed under a Special Permit; and to further correct the following existing typographical errors: Line 27A. delete “develop-ment” and replace with “development; Line 38. delete “entertain-ment” and replace with “entertainment”; Line 39. Delete “renewableor” and replace with “renewable or”; Line 41. delete “equip-ment” and replace with “equipment”; Line 48. add a comma between “religious” and “sectarian”, *so that the amended table reads as follows*

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                               | RG                  | RM | RS  | PCD | SH                                      | AP | DM                                | CII | INI | INII | H |
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| Section III-A.1 reference:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                               | Y – A permitted Use |    |     |     | SP – Use allowed under a Special Permit |    | N – An excluded or prohibited use |     |     |      |   |
| RESIDENTIAL USE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                               |                     |    |     |     |                                         |    |                                   |     |     |      |   |
| 1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | One-family detached dwelling                                                                                                                                                                                                                                                                                                                                                  | Y                   | N  | Y   | N   | SP                                      | Y  | (*)                               | N   | N   | N    | N |
| 1A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Family Suite                                                                                                                                                                                                                                                                                                                                                                  | N                   | N  | SP  | N   | N                                       | N  | N                                 | N   | N   | N    | N |
| 2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | One-family detached dwelling for personnel required for the Safe operation of a permitted use to reside on the premises thereof.                                                                                                                                                                                                                                              | N                   | N  | N   | SP  | SP                                      | N  | (*)                               | SP  | SP  | SP   | N |
| 3.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Two-family or semi-detached dwelling                                                                                                                                                                                                                                                                                                                                          | Y                   | Y  | N** | N   | SP                                      | N  | (*)                               | N   | N   | N    | N |
| 4. *                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Multiple family building types for not less than three (3) dwelling units in any one building, such as: apartment houses and/or town houses, subject to and compliant with the provisions of Section V-J. (Art. 44 A.T.M. 1965, Art.1 S.T.M. June 17, 1969 & Art. 3. S.T.M. 11/18/75) (Art. 2 S.T.M. #2, Oct. 10, 2000) (Art. 52 F.T.M. (10/17/17) (Art. 32 Fall TM 10/16/18) | N                   | Y+ | N** | Y+  | SP                                      | N  | (*)                               | N   | N   | N    | N |
| 5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Alteration and conversion of a one-family house existing at the time of the adoption of this by-law, to accommodate two families if located on a lot having an area at least twenty-five percent greater than required for a one-family house.                                                                                                                                | Y                   | Y  | N   | N   | SP                                      | N  | (*)                               | N   | N   | N    | N |
| “+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD”<br>FP - See Flood Plain regulations at the end of this Section.<br>HM-I - See Highway Mixed Use-I District regulations at Section III-B.<br>HM-II - See Highway Mixed Use-II District regulations at Section III-C.<br>LC - See Limited Commercial District regulations at Section III-D.<br>HM-III - See Highway Mixed Use-III District regulations at Section III-G (Page III-43).<br>HPU - See Highway Planned Use regulations at Section III-G (Page III-46).<br>(*)DM - See Downtown Mixed Use Regulations in Section III-E |                                                                                                                                                                                                                                                                                                                                                                               |                     |    |     |     |                                         |    |                                   |     |     |      |   |
| *1. Dwellings presently occupied for multi-family purposes, that have been in existence prior to 1948, and used continuously as such, may continue to be occupied for multi-family purposes under a non-conforming status subject to the provisions of Section V-A, 1., 2., 3. and 4. of the Natick Zoning By-Laws.<br>2. Proof of continuous multi-family use must be documented with the Inspector of Buildings, who shall issue a certificate of such documentation.<br>3. A copy of this certificate shall be filed with the Town Clerk, Board of Assessors and Board of Health.<br>**4. See special regulations in Section III-F for alternative uses allowed by Special Permit in certain single family districts.                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                               |                     |    |     |     |                                         |    |                                   |     |     |      |   |
| 6.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Tourist Home                                                                                                                                                                                                                                                                                                                                                                  | Y                   | N  | N   | N   | N                                       | N  | (*)                               | N   | N   | N    | N |
| 7.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Hotel and Motel                                                                                                                                                                                                                                                                                                                                                               | N                   | Y  | N   | N   | N                                       | N  | (*)                               | Y   | N   | SP*  | N |

|                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                               | RG | RM | RS | PCD | SH | AP | DM  | CII | INI | INII | H |
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| 8.                                                                                                                                                                                                                                                                                                                                                                                                                    | Renting of one or two rooms and the furnishing of board by a resident family to not more than three non-transient persons.                                                                                                                                                                                                                                    | Y  | N  | N  | N   | SP | N  | (*) | N   | N   | N    | N |
| 9.                                                                                                                                                                                                                                                                                                                                                                                                                    | Private garage or outdoor vehicle storage in connection with a dwelling for not more than three motor vehicles which shall not include more than one commercial vehicle two and one-half tons gross weight or more than one vehicle owned by a non-resident of the premises except in the case of a farm operated on a full-time basis by a resident thereon. | Y  | Y  | Y  | Y   | SP | N  | (*) | N   | N   | N    | N |
| 10.                                                                                                                                                                                                                                                                                                                                                                                                                   | Country club, including golf, by natural light only, riding, tennis and boat houses. (Art. 6 S.T.M. 11/24/64 & Art. 54 A.T.M. 1962)                                                                                                                                                                                                                           | Y  | N  | N  | SP  | N  | N  | (*) | N   | N   | N    | N |
| *Art. 29, FALL ATM 1997<br>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                               |    |    |    |     |    |    |     |     |     |      |   |
| <b>RECREATIONAL USES</b>                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                               |    |    |    |     |    |    |     |     |     |      |   |
| 10A.                                                                                                                                                                                                                                                                                                                                                                                                                  | Country club, including golf, by natural light only, riding, tennis and boat houses and community centers for exclusive use of the residents of the particular district in which it is located (Art. 1 S.T.M. June 17, 1969)(Art. 2 S.T.M. #2, Oct. 10, 2000)                                                                                                 | N  | N  | N  | Y+  | N  | N  | (*) | N   | N   | N    | N |
| 11.                                                                                                                                                                                                                                                                                                                                                                                                                   | Lodge building or other non-profit social or civic use, but not including any use the principal activity of which is one customarily conducted as business.                                                                                                                                                                                                   | Y  | N  | SP | SP  | SP | N  | (*) | N   | N   | N    | N |
| 12.                                                                                                                                                                                                                                                                                                                                                                                                                   | Indoor amusement or recreation place or place of assembly provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred feet from a residential district.                                                                                                                            | N  | N  | N  | N   | SP | N  | (*) | SP  | N   | N    | N |
| 13.                                                                                                                                                                                                                                                                                                                                                                                                                   | Commercial outdoor amusement or recreation use, but not including outdoor movie theatre.                                                                                                                                                                                                                                                                      | N  | N  | N  | N   | N  | N  | (*) | SP  | N   | N    | N |
| “+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD”<br>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3 |                                                                                                                                                                                                                                                                                                                                                               |    |    |    |     |    |    |     |     |     |      |   |
| 14.                                                                                                                                                                                                                                                                                                                                                                                                                   | Outdoor movie theatre (deleted – Art. 45 ATM 04/27/10)                                                                                                                                                                                                                                                                                                        |    |    |    |     |    |    |     |     |     |      |   |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | RG  | RM | RS  | PCD | SH | AP | DM  | CII | INI | INII | H |
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| 15.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Farm for the raising, keeping and sale of cattle, horses, sheep, goats and for the growing and sale of all agricultural products including fruits, vegetables, hay and grain, all dairy produce, and eggs.                                                                                                                                                                                                                                                                                                                                                                                                                 | SP* | N  | SP* | N   | N  | N  | (*) | SP* | N   | N    | N |
| 16.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Premises for the raising of swine, poultry, fowl and fur-bearing animals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SP* | N  | SP* | N   | N  | N  | (*) | N   | N   | N    | N |
| 17.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | A stall or stand for selling farm or garden products a major portion of which is raised or produced on the premises by the owner or lessee thereof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Y   | N  | Y   | N   | N  | N  | (*) | Y   | N   | N    | N |
| <p>* If such land is used for the primary purpose of agriculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products, insofar as a majority of such products for sale have been produced by the owner of the land on which the facility is located, and provided that such parcel is more than five (5) acres in area, no special permit for such use shall be required.</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |     |    |     |     |    |    |     |     |     |      |   |
| <b>BUSINESS USES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |     |    |     |     |    |    |     |     |     |      |   |
| 18.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Greenhouse, nursery and truck garden.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Y   | N  | Y   | N   | N  | N  | (*) | SP  | N   | N    | N |
| 19.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Customary home occupation within the principal building conducted by a resident of the premises (or by owners of the premises where such premises abut Route 135 (Central Street) and are within the Central Fire District) provided that not more than one other person is regularly employed herein in connection with such use; that not more than twenty-five per cent of the total floor area not to exceed four hundred square feet is regularly devoted to such use; that there is no exterior storage of materials or equipment; and that no display of products is visible from the street. (Art. 64 A.T.M. 1968) | Y   | Y  | Y   | SP  | N  | N  | (*) | SP  | N   | N    | N |
| 20.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Building accessory to a dwelling or premises to be used as an office or workroom for the conduct of a professional office or studio or customary home occupation by a resident thereon provided that the same conditions shall apply as hereinbefore set forth for such use in a dwelling (Art. 52 A.T.M. 1974)                                                                                                                                                                                                                                                                                                            | SP  | N  | SP  | N   | N  | N  | (*) | SP  | N   | N    | N |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                        | RG | RM | RS | PCD | SH | AP | DM  | CII | INI | INII | H |
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| 21.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Dumps and use of land for the disposal of refuse by the sanitary-fill method provided the same is also approved by the Board of Health and vote of the Town.                                           | SP | N  | SP | N   | N  | N  | (*) | N   | SP  | SP   | N |
| 22.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Retail stores.                                                                                                                                                                                         | N  | N  | N  | SP  | N  | N  | (*) | Y   | N   | N    | N |
| 22A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Adult Uses <sup>1</sup> (Art. 48, Spring A.T.M., 4/17/97)                                                                                                                                              | N  | N  | N  | N   | N  | N  | N   | N   | N   | N    | N |
| 22B.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Body Art Establishments *See Note 2 (Art. 37, Spring A.T.M., 4/24/01)                                                                                                                                  | N  | N  | N  | N   | N  | N  | N   | N   | N   | N    | N |
| 23.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with no repair services excluding used-car lots.                                                                         | N  | N  | N  | N   | N  | N  | (*) | Y   | N   | N    | N |
| 23A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Limited salesroom for motor vehicles (Article 5, FTM, 10/15/13)                                                                                                                                        | N  | N  | N  | N   | N  | N  | (*) | SP  | N   | N    | N |
| <p>Note 1: See Section 323.4 Adult Uses (Art. 48, Spring A.T.M., 4/17/97)</p> <p>Note 2: 22B. Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) overlay district upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district.</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p> |                                                                                                                                                                                                        |    |    |    |     |    |    |     |     |     |      |   |
| 24.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with repair services and storage including used-car lots.                                                                | N  | N  | N  | N   | N  | N  | (*) | SP  | SP  | N    | N |
| 25.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Wholesale or retail office or showroom with inside storage of goods for sale on premises only.                                                                                                         | N  | N  | N  | N   | N  | N  | (*) | Y   | N   | N    | N |
| 26.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | For an office, studio or workroom connected and strictly accessory to the residence of the occupant, and in which no activity inappropriate to the district shall be carried on. (Art. 52 A.T.M. 1974) | SP | SP | SP | SP  | N  | N  | (*) | Y   | N   | N    | N |
| 27.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Business or professional office or agency, bank or other financial institution (Art. 24 Fall A.T.M. 1996)                                                                                              | N  | N  | N  | SP  | N  | SP | (*) | Y   | Y   | SP   | N |
| 27A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Administrative offices, clerical offices, statistical offices and establishments for research and development. (Art. 8 S.T.M. 2 1975)                                                                  | N  | N  | N  | N   | N  | SP | (*) | N   | SP* | SP*  | N |
| 28.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Craft, consumer, professional or commercial service establishments dealing directly with the general public.                                                                                           | N  | N  | N  | SP  | N  | N  | (*) | Y   | N   | N    | N |
| 29.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Undertaking establishment or funeral home.                                                                                                                                                             | N  | N  | N  | N   | N  | N  | (*) | Y   | N   | N    | N |

|                                                                                               |                                                                                                                                                                                                                                                                                       | RG | RM | RS | PCD | SH | AP | DM  | CII | INI | INII | H |
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| 30.                                                                                           | Repair garage for motor vehicles.                                                                                                                                                                                                                                                     | N  | N  | N  | N   | N  | N  | (*) | SP  | SP  | N    | N |
| 31.                                                                                           | Commercial parking lot or parking garage, filling or service station.*                                                                                                                                                                                                                | N  | N  | N  | N   | N  | N  | (*) | SP  | SP  | N    | N |
| * Any special permit granted for this use shall be subject to the provisions of Section VI DD |                                                                                                                                                                                                                                                                                       |    |    |    |     |    |    |     |     |     |      |   |
| 31A.                                                                                          | A facility exclusively for, or whose principal activity is, the changing of oil and related lubrication services on motor vehicles.*                                                                                                                                                  | N  | N  | N  | N   | N  | N  | (*) | SP  | SP  | N    | N |
| 31B.                                                                                          | Carwash **                                                                                                                                                                                                                                                                            | N  | N  | N  | N   | N  | N  | (*) | SP  | N   | N    | N |
| 32.                                                                                           | Auto body, soldering, or welding shop.                                                                                                                                                                                                                                                | N  | N  | N  | N   | N  | N  | (*) | SP  | SP  | N    | N |
| 33.                                                                                           | Animal or veterinary hospital providing it is located 200 ft. from nearest residential dwelling.                                                                                                                                                                                      | SP | N  | N  | N   | N  | N  | (*) | Y   | N   | N    | N |
| * For the Aquifer Protection District See Section III.A.5-5b).2. (Art. 22, Fall ATM, 10/5/93) |                                                                                                                                                                                                                                                                                       |    |    |    |     |    |    |     |     |     |      |   |
| ** Mechanical vehicular washing system using water and chemical additives.                    |                                                                                                                                                                                                                                                                                       |    |    |    |     |    |    |     |     |     |      |   |
| 34.                                                                                           | Printing or publishing establishment provided that not more than five thousand feet are used for work and storage                                                                                                                                                                     | N  | N  | N  | N   | N  | SP | (*) | Y   | N   | N    | N |
|                                                                                               | a. over 5,000 sq. ft.                                                                                                                                                                                                                                                                 | N  | N  | N  | N   | N  | SP | (*) | SP  | Y   | Y    | N |
| 35.                                                                                           | Off -street parking as hereinafter permitted.                                                                                                                                                                                                                                         | Y  | Y  | Y  | Y   | N  | SP | (*) | Y   | Y   | Y    | N |
| 36.                                                                                           | Restaurant, tea rooms, lunchrooms or other places serving permitted beverages inside a building.                                                                                                                                                                                      | N  | N  | N  | N   | N  | N  | (*) | Y   | N   | N    | N |
| 37.                                                                                           | Cafeteria or restaurant for sole use of personnel employed on the premises of permitted use.                                                                                                                                                                                          | N  | N  | N  | N   | N  | N  | (*) | Y   | Y   | Y    | N |
| 38.                                                                                           | Restaurant or other places serving food or permitted beverages and providing live or mechanical entertainment or serving customers outside of buildings.                                                                                                                              | N  | N  | N  | N   | N  | N  | (*) | SP  | N   | N    | N |
| 38A.                                                                                          | The serving of food and/or permitted beverages, with or without accompanying entertainment, on the premises of a hotel, including without limitation, all restaurants cocktail lounges, room service facilities, meeting and function rooms on said premises. (Art. 3 S.T.M. #1 1977) | N  | N  | N  | N   | N  | N  | (*) | Y   | N   | N    | N |
| 38B.                                                                                          | Specialty craft fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 31, Fall TM 10/15/19)                                                                                        | N  | N  | N  | N   | N  | N  | (*) | Y   | SP  | SP   | N |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                         | RG | RM | RS | PCD | SH | AP | DM  | CII | INI | INII | H |
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| <b>INDUSTRIAL USES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                         |    |    |    |     |    |    |     |     |     |      |   |
| 38C.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 30, Fall TM 10/15/19)                                                                                                                                                                                                  | N  | N  | N  | N   | N  | SP | (*) | SP  | SP  | SP   | N |
| 39.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Light manufacturing uses (including renewable or alternative energy light manufacturing uses) when the processes involved entail only fabrication, assembly, finishing work, packaging, or commercial food production, conducted in such a manner that noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises. (Art. 58, Fall ATM 10/20/09) | N  | N  | N  | N   | N  | N  | (*) | N   | Y   | Y    | N |
| 39A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Ancillary Outlet** (Art. 28, Spring Town Meeting 4/14/15)                                                                                                                                                                                                                                                                                                                               | N  | N  | N  | N   | N  | N  | (*) | N   | SP  | N    | N |
| <p>* Acceptance of this article shall not be considered acceptance of Chapter 808 of the Acts of 1975 by this town.<br/> Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3<br/> **Use 39A. Ancillary Outlet shall not be permitted in any Industrial Zones covered by or underlying the Regional Center Overlay District or HOOP Overlay Districts. The Ancillary Outlet Setback from a residential zone to an Ancillary Outlet inclusive of its outside parking and vehicular access is 85 feet. (Art. 28, Spring Town Meeting, 4/14/15)</p> |                                                                                                                                                                                                                                                                                                                                                                                         |    |    |    |     |    |    |     |     |     |      |   |
| 40.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | General industrial uses including manufacturing, renewable or alternative energy manufacturing, processing, or other industrial operations that will not be offensive to adjoining districts in respect to obnoxious noise, smoke, dust, odor, waste disposal, vibration or similar objectionable features. (Art. 58, Fall ATM 10/20/09)                                                | N  | N  | N  | N   | N  | N  | (*) | N   | N   | Y    | N |
| 40A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Renewable or alternative energy research and development facilities (Art. 58, Fall ATM 10/20/09)                                                                                                                                                                                                                                                                                        | N  | N  | N  | N   | N  | N  | (*) | N   | Y   | Y    | N |
| 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Warehouses (excluding retail warehouses), for storage of any personal property with no sales taking place on the premises; and open storage yards of lumber, stone, brick, gravel, cement, and contractor's equipment, or other bulky merchandise, which may be sold on the premises. (Art. 73 A.T.M. 1963, Art. 49 A.T.M. 1976 & Art. 24 Fall A.T.M. 1996)                             | N  | N  | N  | N   | N  | N  | (*) | N   | N   | SP*  | N |

|                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                               | RG | RM | RS | PCD | SH | AP | DM  | CII | INI | INII | H  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|-----|----|----|-----|-----|-----|------|----|
| 42.                                                                                                                                                                                                                                                                                                         | Junk yards (Enclosed by a 10' high fence or other closed screen acceptable to Building Inspector.                                                                                                                                             | N  | N  | N  | N   | N  | N  | (*) | N   | N   | SP   | N  |
| <b>TRANSPORTATION USES</b>                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                               |    |    |    |     |    |    |     |     |     |      |    |
| 43.                                                                                                                                                                                                                                                                                                         | Private landing area to be used solely for the landing, taking off, and storage of privately owned airplanes and/or helicopter.                                                                                                               | SP | N  | SP | N   | N  | N  | (*) | N   | N   | N    | N  |
| 44.                                                                                                                                                                                                                                                                                                         | Motor freight or other transportation terminals; yards for the servicing of trucks and trailers.                                                                                                                                              | N  | N  | N  | N   | N  | N  | (*) | N   | N   | SP   | N  |
| <b>INSTITUTIONAL USES</b>                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                               |    |    |    |     |    |    |     |     |     |      |    |
| 45.                                                                                                                                                                                                                                                                                                         | Municipal facility and building for public uses and purposes, including a Town-owned dump. (Art. 52 A.T.M. 1974)                                                                                                                              | SP | SP | SP | SP  | N  | SP | (*) | Y   | Y   | Y    | N  |
| 46.                                                                                                                                                                                                                                                                                                         | Public service and public utility structure including telephone exchange. (Art. 52 A.T.M. 1974)                                                                                                                                               | SP | SP | SP | SP  | N  | SP | (*) | Y   | Y   | Y    | N  |
| 46A.                                                                                                                                                                                                                                                                                                        | Wireless Communications Facility, including only a BMWCF, an AWCF, and co-locating a WCF on an existing free standing monopole or lattice tower.Ø                                                                                             | SP | SP | SP | SP  | SP | SP | SP  | SP  | SP  | SP   | SP |
| 46B.                                                                                                                                                                                                                                                                                                        | Wireless Communications Facility, including only a free standing monopole.Ø (Art. 25, Spring ATM 4/9/19)                                                                                                                                      | SP | SP | SP | SP  | SP | SP | SP  | SP  | SP  | SP   | SP |
| 46C.                                                                                                                                                                                                                                                                                                        | Indoor Wireless Communications Facility (IWCF).Ø                                                                                                                                                                                              | Y  | Y  | Y  | Y   | Y  | Y  | Y   | Y   | Y   | Y    | Y  |
| Ø (Amended Art. 30, Fall ATM, 10/8/98)                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                               |    |    |    |     |    |    |     |     |     |      |    |
| 46D.                                                                                                                                                                                                                                                                                                        | Facilities for housing telecommunications equipment, such as sites where network systems can be interconnected to the fiber optic highband cable network, or to such network as it may be modified hereafter. (Art. 5, S.T.M. #2, 10/10/00)** | N  | N  | N  | N   | N  | N  | SP  | SP  | SP  | SP   | N  |
| **Special Permit by SPGA in the HM-I, HM-II, HM-III, HPU, RC and HC Districts<br>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3                                                                                                                                                |                                                                                                                                                                                                                                               |    |    |    |     |    |    |     |     |     |      |    |
| 47.                                                                                                                                                                                                                                                                                                         | Church, rectory, convent, parish house, and other religious institutions. ‡                                                                                                                                                                   | Y  | Y  | Y  | Y   | N  | SP | (*) | Y   | Y   | Y    | N  |
| ‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7 (Art. 3, STM#1, 5/9/17)<br>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3 |                                                                                                                                                                                                                                               |    |    |    |     |    |    |     |     |     |      |    |
| 48.                                                                                                                                                                                                                                                                                                         | Schools: public, religious, sectarian, or private. ‡                                                                                                                                                                                          | Y  | Y  | Y  | Y   | N  | SP | (*) | Y   | Y   | Y    | N  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                          | RG | RM | RS | PCD | SH | AP | DM  | CII | INI | INII | H  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|-----|----|----|-----|-----|-----|------|----|
| 49.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.* ‡ | SP | N  | SP | SP  | N  | SP | (*) | SP  | SP  | N    | SP |
| 50.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Sanitarium, or nursing, or rest home. (Art. 12, S.T.M. #1 Jan. 21, 1992)                                                                 | SP | N  | N  | N   | N  | SP | SP  | N   | N   | N    | SP |
| 50A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Health Care facility, including a hospital, diagnostic and health care professional offices.                                             |    |    |    |     |    |    |     |     |     |      |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | i) under 2500 sq. ft.                                                                                                                    | N  | N  | N  | N   | N  | Y  | Y   | Y   | N   | N    | Y  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | ii) over 2500 sq. ft. (Art. 12, S.T.M. #1 Jan. 21, 1992)                                                                                 | N  | N  | N  | N   | N  | SP | SP  | SP  | N   | N    | SP |
| 50B.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Assisted Living Residence (Art. 44, Spring ATM, 4/27/10)                                                                                 | SP | SP | N  | SP  | SP | SP | SP  | SP  | N   | SP   | SP |
| 51.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Cemetery                                                                                                                                 | SP | N  | SP | N   | N  | N  | (*) | N   | N   | N    | N  |
| 52.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Library or museum                                                                                                                        | Y  | N  | Y  | N   | N  | SP | (*) | N   | N   | N    | N  |
| <p>* "However, no special permit shall be required for the day care of children in a private residence by a daycare provider, who is licensed and operates under the rules and regulations of the Commonwealth of Massachusetts, Department of Children, and who on a regular basis, receives for temporary custody and care, during part or all of the day, children under sixteen years of age, provided however, in either case that the total number of children under sixteen in a family day care home shall not exceed six, including participating children living in the residence."</p> <p>* "Licensed Nursery Schools and/or Daycare Centers, if located in an existing building, in a (CII), INI, or (H) district, shall not be subject to section VI-DD, "Site Plan Review"; and licensed Nursery Schools and Daycare Centers, shall not be subject to the requirements of section III-A.5, Aquifer Protection District, provided they shall be located in an existing building and further provided no impervious materials shall be added to the site."<br/>(Art. 14, 1987 Fall A.T.M.)</p> <p>‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7." (Art. 3, STM#1, 5/9/17)</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p> |                                                                                                                                          |    |    |    |     |    |    |     |     |     |      |    |
| <b>OTHER USES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                          |    |    |    |     |    |    |     |     |     |      |    |
| 53.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Commercial Boarding or Training Dog Kennel (Art. 27, Spring TM 4/9/19)                                                                   | N  | N  | N  | N   | N  | N  | (*) | SP  | N   | N    | N  |
| 53A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Commercial Breeder Dog Kennel (Art. 27, Spring TM 4/9/19)                                                                                | N  | N  | N  | N   | N  | N  | (*) | SP  | N   | N    | N  |
| 53B.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Home Occupation/Customary Home Occupation Dog Kennel (Art. 27, Spring TM 4/9/19)                                                         | SP | N  | SP | N   | N  | N  | (*) | SP  | N   | N    | N  |
| 53C.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Personal Dog Kennel (Art. 27, Spring TM 4/9/19)                                                                                          | SP | N  | SP | N   | N  | N  | (*) | SP  | N   | N    | N  |
| 54.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Signs as hereinafter permitted                                                                                                           | Y  | Y  | Y  | SP  | SP | SP | (*) | Y   | Y   | Y    | N  |
| 55.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Other accessory uses normally incidental to a permitted use                                                                              | SP | SP | SP | SP  | SP | SP | (*) | SP  | SP  | SP   | N  |
| (Art. 45, Spring A.T.M. 04/27/10 – Deleted Drive in Theatres "D")                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                          |    |    |    |     |    |    |     |     |     |      |    |

|                                                                           |  | RG | RM | RS | PCD | SH | AP | DM | CII | INI | INII | H |
|---------------------------------------------------------------------------|--|----|----|----|-----|----|----|----|-----|-----|------|---|
| Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page |  |    |    |    |     |    |    |    |     |     |      |   |

~~ END OF MOTION B ~~

## REDLINE VERSION OF ARTICLE 25 MOTIONS

### 1. Section III-A.1 PERMITTED USES IN DISTRICTS (ZONES AS SET OUT IN SECTION II-A)

a. In such Districts no building or structure shall be erected or used and no premises shall be used except as set forth in the "Use Regulations Schedule" herein and in accordance with the following notations:

~~P-Y~~ - A permitted use

~~Q-N~~ - An excluded or prohibited use

~~A-SP~~ - Use allowed under a Special Permit as granted by a Special Permit Granting Authority and as designated elsewhere in this By-Law (RS includes all Single Residence Districts unless otherwise specified)

### 2. Section III-A.2 USE REGULATION SCHEDULE

|                            |                                                                                                                                                                                                                                                                             | RG                  | RM  | RS   | PCD | SH                                      | AP | DM  | CI  | INI                               | INII | H  |  |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----|------|-----|-----------------------------------------|----|-----|-----|-----------------------------------|------|----|--|
| Section III-A.1 reference: |                                                                                                                                                                                                                                                                             | Y – A permitted Use |     |      |     | SP – Use allowed under a Special Permit |    |     |     | N – An excluded or prohibited use |      |    |  |
| RESIDENTIAL USE            |                                                                                                                                                                                                                                                                             |                     |     |      |     |                                         |    |     |     |                                   |      |    |  |
| 1.                         | One-family detached dwelling                                                                                                                                                                                                                                                | YP                  | NQ  | YP   | NQ  | SPA                                     | YP | (*) | NQ  | NQ                                | NQ   | NQ |  |
| 1A.                        | Family Suite                                                                                                                                                                                                                                                                | NQ                  | NQ  | SPA  | NQ  | NQ                                      | NQ | NQ  | NQ  | NQ                                | NQ   | NQ |  |
| 2.                         | One-family detached dwelling for personnel required for the Safe operation of a permitted use to reside on the premises thereof.                                                                                                                                            | NQ                  | NQ  | NQ   | SPA | SPA                                     | NQ | (*) | SPA | SPA                               | SPA  | NQ |  |
| 3.                         | Two-family or semi-detached dwelling                                                                                                                                                                                                                                        | YP                  | YP  | NQ** | NQ  | SPA                                     | NQ | (*) | NQ  | NQ                                | NQ   | NQ |  |
| 4. *                       | Multiple family building types for not less than three (3) dwelling units in any one building, such as: apartment houses and/or town houses, subject to and compliant with the provisions of Section V-J. (Art. 44 A.T.M. 1965, Art.1 S.T.M. June 17, 1969 & Art. 3. S.T.M. | NQ                  | YP+ | NQ** | YP+ | SPA                                     | NQ | (*) | NQ  | NQ                                | NQ   | NQ |  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                               | RG | RM | RS | PCD | SH  | AP | DM  | CI | INI | INII | H  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|-----|-----|----|-----|----|-----|------|----|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 11/18/75) (Art. 2 S.T.M. #2, Oct. 10, 2000) (Art. 52 F.T.M. (10/17/17) (Art. 32 Fall TM 10/16/18)                                                                                                                                                                                                                                                             |    |    |    |     |     |    |     |    |     |      |    |
| 5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Alteration and conversion of a one-family house existing at the time of the adoption of this by-law, to accommodate two families if located on a lot having an area at least twenty-five percent greater than required for a one-family house.                                                                                                                | YP | YP | NO | NO  | SPA | NO | (*) | NO | NO  | NO   | NO |
| <p>"* On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD"</p> <p>FP - See Flood Plain regulations at the end of this Section.<br/> HM-I - See Highway Mixed Use-I District regulations at Section III-B.<br/> HM-II - See Highway Mixed Use-II District regulations at Section III-C.<br/> LC - See Limited Commercial District <u>regulations</u> at Section III-D.<br/> HM-III - See Highway Mixed Use-III District regulations at Section III-G (Page III-43).<br/> HPU - See Highway Planned Use regulations at Section III-G (Page III-46).<br/> (*)DM - See Downtown Mixed Use Regulations in Section III-E</p> <p>*1. Dwellings presently occupied for multi-family purposes, that have been in existence prior to 1948, and used continuously as such, may continue to be occupied for multi-family purposes under a non-conforming status subject to the provisions of Section V-A, 1., 2., 3. and 4. of the Natick Zoning By-Laws.<br/> 2. Proof of continuous multi-family use must be documented with the Inspector of Buildings, who shall issue a certificate of such documentation.<br/> 3. A copy of this certificate shall be filed with the Town Clerk, Board of Assessors and Board of Health.<br/> **4. See special regulations in Section III-F for alternative uses allowed by Special Permit in certain <u>single family</u> districts.</p> |                                                                                                                                                                                                                                                                                                                                                               |    |    |    |     |     |    |     |    |     |      |    |
| 6.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Tourist Home                                                                                                                                                                                                                                                                                                                                                  | YP | NO | NO | NO  | NO  | NO | (*) | NO | NO  | NO   | NO |
| 7.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Hotel and Motel                                                                                                                                                                                                                                                                                                                                               | NO | YP | NO | NO  | NO  | NO | (*) | YP | NO  | SPA* | NO |
| 8.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Renting of one or two rooms and the furnishing of board by a resident family to not more than three non-transient persons.                                                                                                                                                                                                                                    | YP | NO | NO | NO  | SPA | NO | (*) | NO | NO  | NO   | NO |
| 9.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Private garage or outdoor vehicle storage in connection with a dwelling for not more than three motor vehicles which shall not include more than one commercial vehicle two and one-half tons gross weight or more than one vehicle owned by a non-resident of the premises except in the case of a farm operated on a full-time basis by a resident thereon. | YP | YP | YP | YP  | SPA | NO | (*) | NO | NO  | NO   | NO |
| 10.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Country club, including golf, by natural light only, riding, tennis and boat houses. (Art. 6 S.T.M. 11/24/64 & Art. 54 A.T.M. 1962)                                                                                                                                                                                                                           | YP | NO | NO | SPA | NO  | NO | (*) | NO | NO  | NO   | NO |

|                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                               | RG          | RM        | RS          | PCD        | SH         | AP        | DM  | CII         | INI       | INII      | H         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------|-------------|------------|------------|-----------|-----|-------------|-----------|-----------|-----------|
| *Art. 29, FALL ATM 1997                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                               |             |           |             |            |            |           |     |             |           |           |           |
| Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                               |             |           |             |            |            |           |     |             |           |           |           |
| <b>RECREATIONAL USES</b>                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                               |             |           |             |            |            |           |     |             |           |           |           |
| 10A.                                                                                                                                                                                                                                                                                                                                                                                                                                      | Country club, including golf, by natural light only, riding, tennis and boat houses and community centers for exclusive use of the residents of the particular district in which it is located (Art. I S.T.M. June 17, 1969)(Art. 2 S.T.M. #2, Oct. 10, 2000) | <u>NO</u>   | <u>NO</u> | <u>NO</u>   | <u>YP+</u> | <u>NO</u>  | <u>NO</u> | (*) | <u>NO</u>   | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| 11.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Lodge building or other non-profit social or civic use, but not including any use the principal activity of which is one customarily conducted as business.                                                                                                   | <u>YP</u>   | <u>NO</u> | <u>SPA</u>  | <u>SPA</u> | <u>SPA</u> | <u>NO</u> | (*) | <u>NO</u>   | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| 12.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Indoor amusement or recreation place or place of assembly provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred feet from a residential district.                            | <u>NO</u>   | <u>NO</u> | <u>NO</u>   | <u>NO</u>  | <u>SPA</u> | <u>NO</u> | (*) | <u>SPA</u>  | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| 13.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Commercial outdoor amusement or recreation use, but not including outdoor movie theatre.                                                                                                                                                                      | <u>NO</u>   | <u>NO</u> | <u>NO</u>   | <u>NO</u>  | <u>NO</u>  | <u>NO</u> | (*) | <u>SPA</u>  | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| "+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD"                                                                                                    |                                                                                                                                                                                                                                                               |             |           |             |            |            |           |     |             |           |           |           |
| Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                               |             |           |             |            |            |           |     |             |           |           |           |
| 14.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Outdoor movie theatre (deleted – Art. 45 ATM 04/27/10)                                                                                                                                                                                                        |             |           |             |            |            |           |     |             |           |           |           |
| 15.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Farm for the raising, keeping and sale of cattle, horses, sheep, goats and for the growing and sale of all agricultural products including fruits, vegetables, hay and grain, all dairy produce, and eggs.                                                    | <u>SPA*</u> | <u>NO</u> | <u>SPA*</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> | (*) | <u>SPA*</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| 16.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Premises for the raising of swine, poultry, fowl and fur-bearing animals.                                                                                                                                                                                     | <u>SPA*</u> | <u>NO</u> | <u>SPA*</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> | (*) | <u>NO</u>   | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| 17.                                                                                                                                                                                                                                                                                                                                                                                                                                       | A stall or stand for selling farm or garden products a major portion of which is raised or produced on the premises by the owner or lessee thereof.                                                                                                           | <u>YP</u>   | <u>NO</u> | <u>YP</u>   | <u>NO</u>  | <u>NO</u>  | <u>NO</u> | (*) | <u>YP</u>   | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| * If such land is used for the primary purpose of agriculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products, insofar as a majority of such products for sale have been produced by the owner of the land on which the facility is located, and provided that such parcel is more than five (5) acres in area, no special permit for such use shall be required. |                                                                                                                                                                                                                                                               |             |           |             |            |            |           |     |             |           |           |           |
| Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                               |             |           |             |            |            |           |     |             |           |           |           |

|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | RG         | RM        | RS         | PCD        | SH        | AP        | DM        | CI         | INI        | INII       | H         |
|------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------|------------|------------|-----------|-----------|-----------|------------|------------|------------|-----------|
| <b>COMMERCIAL USES</b>                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            |           |            |            |           |           |           |            |            |            |           |
| 18.                                                                    | Greenhouse, nursery and truck garden.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <u>YP</u>  | <u>NO</u> | <u>YP</u>  | <u>NO</u>  | <u>NO</u> | <u>NO</u> | (*)       | <u>SPA</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| 19                                                                     | Customary home occupation within the principal building conducted by a resident of the premises (or by owners of the premises where such premises abut Route 135 (Central Street) and are within the Central Fire District) provided that not more than one other person is regularly employed herein in connection with such use; that not more than twenty-five per cent of the total floor area not to exceed four hundred square feet is regularly devoted to such use; that there is no exterior storage of materials or equipment; and that no display of products is visible from the street. (Art. 64 A.T.M. 1968) | <u>YP</u>  | <u>YP</u> | <u>YP</u>  | <u>SPA</u> | <u>NO</u> | <u>NO</u> | (*)       | <u>SPA</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| 20.                                                                    | Building accessory to a dwelling or premises to be used as an office or workroom for the conduct of a professional office or studio or customary home occupation by a resident thereon provided that the same conditions shall apply as hereinbefore set forth for such use in a dwelling (Art. 52 A.T.M. 1974)                                                                                                                                                                                                                                                                                                            | <u>SPA</u> | <u>NO</u> | <u>SPA</u> | <u>NO</u>  | <u>NO</u> | <u>NO</u> | (*)       | <u>SPA</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| 21.                                                                    | Dumps and use of land for the disposal of refuse by the sanitary-fill method provided the same is also approved by the Board of Health and vote of the Town.                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <u>SPA</u> | <u>NO</u> | <u>SPA</u> | <u>NO</u>  | <u>NO</u> | <u>NO</u> | (*)       | <u>NO</u>  | <u>SPA</u> | <u>SPA</u> | <u>NO</u> |
| 22.                                                                    | Retail stores.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>SPA</u> | <u>NO</u> | <u>NO</u> | (*)       | <u>YP</u>  | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| 22A.                                                                   | Adult Uses <sup>1</sup> (Art. 48, Spring A.T.M., 4/17/97)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| 22B.                                                                   | Body Art Establishments *See Note 2 (Art. 37, Spring A.T.M., 4/24/01)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| 23.                                                                    | Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with no repair services excluding used-car lots.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> | <u>NO</u> | (*)       | <u>YP</u>  | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| 23A.                                                                   | Limited salesroom for motor vehicles (Article 5, FTM, 10/15/13)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> | <u>NO</u> | (*)       | <u>SPA</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| Note 1: See Section 323.4 Adult Uses (Art. 48, Spring A.T.M., 4/17/97) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            |           |            |            |           |           |           |            |            |            |           |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                        | RG        | RM        | RS        | PCD       | SH        | AP        | DM  | CI        | INI       | INII      | H         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----|-----------|-----------|-----------|-----------|
| Note 2: 22B, Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) overlay district upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district. |                                                                                                                                                                                                        |           |           |           |           |           |           |     |           |           |           |           |
| Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                        |           |           |           |           |           |           |     |           |           |           |           |
| 24.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with repair services and storage including used-car lots.                                                                | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | SPA       | SPA       | <u>NO</u> | <u>NO</u> |
| 25.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Wholesale or retail office or showroom with inside storage of goods for sale on premises only.                                                                                                         | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | YP        | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| 26.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | For an office, studio or workroom connected and strictly accessory to the residence of the occupant, and in which no activity inappropriate to the district shall be carried on. (Art. 52 A.T.M. 1974) | SPA       | SPA       | SPA       | SPA       | <u>NO</u> | <u>NO</u> | (*) | YP        | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| 27.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Business or professional office or agency, bank or other financial institution (Art. 24 Fall A.T.M. 1996)                                                                                              | <u>NO</u> | <u>NO</u> | <u>NO</u> | SPA       | <u>NO</u> | SPA       | (*) | YP        | YP        | SPA       | <u>NO</u> |
| 27A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Administrative offices, clerical offices, statistical offices and establishments for research and <del>development</del> <u>develop-ment</u> . (Art. 8 S.T.M. 2 1975)                                  | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | SPA       | (*) | <u>NO</u> | SPA*      | SPA*      | <u>NO</u> |
| 28.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Craft, consumer, professional or commercial service establishments dealing directly with the general public.                                                                                           | <u>NO</u> | <u>NO</u> | <u>NO</u> | SPA       | <u>NO</u> | <u>NO</u> | (*) | YP        | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| 29.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Undertaking establishment or funeral home.                                                                                                                                                             | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | YP        | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| 30.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Repair garage for motor vehicles.                                                                                                                                                                      | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | SPA       | SPA       | <u>NO</u> | <u>NO</u> |
| 31.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Commercial parking lot or parking garage, filling or service station.*                                                                                                                                 | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | SPA       | SPA       | <u>NO</u> | <u>NO</u> |
| * Any special permit granted for this use shall be subject to the provisions of Section VI DD                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                        |           |           |           |           |           |           |     |           |           |           |           |
| 31A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | A facility exclusively for, or whose principal activity is, the changing of oil and related lubrication services on motor vehicles.*                                                                   | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | SPA       | SPA       | <u>NO</u> | <u>NO</u> |
| 31B.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Carwash.**                                                                                                                                                                                             | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | SPA       | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| 32.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Auto body, soldering, or welding shop.                                                                                                                                                                 | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | SPA       | SPA       | <u>NO</u> | <u>NO</u> |
| 33.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Animal or veterinary hospital providing it is located 200 ft. from nearest residential dwelling.                                                                                                       | SPA       | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | YP        | <u>NO</u> | <u>NO</u> | <u>NO</u> |
| * For the Aquifer Protection District See Section III.A.5-5b).2. (Art. 22, Fall ATM, 10/5/93)                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                        |           |           |           |           |           |           |     |           |           |           |           |
| ** Mechanical vehicular washing system using water and chemical additives.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                        |           |           |           |           |           |           |     |           |           |           |           |

|                        |                                                                                                                                                                                                                                                                                                                       | RG        | RM        | RS        | PCD       | SH        | AP         | DM  | CI         | INI        | INII       | H         |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|-----------|-----------|------------|-----|------------|------------|------------|-----------|
| 34.                    | Printing or publishing establishment provided that not more than five thousand feet are used for work and storage                                                                                                                                                                                                     | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>SPA</u> | (*) | <u>YP</u>  | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
|                        | a. over 5,000 sq. ft.                                                                                                                                                                                                                                                                                                 | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>SPA</u> | (*) | <u>SPA</u> | <u>YP</u>  | <u>YP</u>  | <u>NO</u> |
| 35.                    | Off -street parking as hereinafter permitted.                                                                                                                                                                                                                                                                         | <u>YP</u> | <u>YP</u> | <u>YP</u> | <u>YP</u> | <u>NO</u> | <u>SPA</u> | (*) | <u>YP</u>  | <u>YP</u>  | <u>YP</u>  | <u>NO</u> |
| 36.                    | Restaurant, tea rooms, lunchrooms or other places serving permitted beverages inside a building.                                                                                                                                                                                                                      | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u>  | (*) | <u>YP</u>  | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| 37.                    | Cafeteria or restaurant for sole use of personnel employed on the premises of permitted use.                                                                                                                                                                                                                          | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u>  | (*) | <u>YP</u>  | <u>YP</u>  | <u>YP</u>  | <u>NO</u> |
| 38.                    | Restaurant or other places serving food or permitted beverages and providing live or mechanical <del>entertainment</del> <del>entertain-ment</del> or serving customers outside of buildings.                                                                                                                         | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u>  | (*) | <u>SPA</u> | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| 38A.                   | The serving of food and/or permitted beverages, with or without accompanying entertainment, on the premises of a hotel, including without limitation, all restaurants cocktail lounges, room service facilities, meeting and function rooms on said premises. (Art. 3 S.T.M. #1 1977)                                 | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u>  | (*) | <u>YP</u>  | <u>NO</u>  | <u>NO</u>  | <u>NO</u> |
| 38B.                   | Specialty craft fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 31, Fall TM 10/15/19)                                                                                                                        | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u>  | (*) | <u>YP</u>  | <u>SPA</u> | <u>SPA</u> | <u>NO</u> |
| <b>INDUSTRIAL USES</b> |                                                                                                                                                                                                                                                                                                                       |           |           |           |           |           |            |     |            |            |            |           |
| 38C.                   | Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 30, Fall TM 10/15/19)                                                                                                                                | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>SPA</u> | (*) | <u>SPA</u> | <u>SPA</u> | <u>SPA</u> | <u>NO</u> |
| 39.                    | Light manufacturing uses (including <del>renewable or renewable</del> or alternative energy light manufacturing uses) when the processes involved entail only fabrication, assembly, finishing work, packaging, or commercial food production, conducted in such a manner that noise, smoke, dust, odor, vibration or | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | <u>NO</u>  | (*) | <u>NO</u>  | <u>YP</u>  | <u>YP</u>  | <u>NO</u> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                               | RG         | RM        | RS         | PCD       | SH        | AP        | DM  | CII       | INI        | INII        | H         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------|------------|-----------|-----------|-----------|-----|-----------|------------|-------------|-----------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | similar objectionable features are confined to the premises. (Art. 58, Fall ATM 10/20/09)                                                                                                                                                                                                                                                                                                     |            |           |            |           |           |           |     |           |            |             |           |
| 39A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Ancillary Outlet** (Art. 28, Spring Town Meeting 4/14/15)                                                                                                                                                                                                                                                                                                                                     | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | <u>NO</u> | <u>SPA</u> | <u>NO</u>   | <u>NO</u> |
| <p>* Acceptance of this article shall not be considered acceptance of Chapter 808 of the Acts of 1975 by this town.</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p> <p>**Use 39A. Ancillary Outlet shall not be permitted in any Industrial Zones covered by or underlying the Regional Center Overlay District or HOOP Overlay Districts. The Ancillary Outlet Setback from a residential zone to an Ancillary Outlet inclusive of its outside parking and vehicular access is 85 feet. (Art. 28, Spring Town Meeting, 4/14/15)</p> |                                                                                                                                                                                                                                                                                                                                                                                               |            |           |            |           |           |           |     |           |            |             |           |
| 40.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | General industrial uses including manufacturing, renewable or alternative energy manufacturing, processing, or other industrial operations that will not be offensive to adjoining districts in respect to obnoxious noise, smoke, dust, odor, waste disposal, vibration or similar objectionable features. (Art. 58, Fall ATM 10/20/09)                                                      | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | <u>NO</u> | <u>NO</u>  | <u>YP</u>   | <u>NO</u> |
| 40A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Renewable or alternative energy research and development facilities (Art. 58, Fall ATM 10/20/09)                                                                                                                                                                                                                                                                                              | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | <u>NO</u> | <u>YP</u>  | <u>YP</u>   | <u>NO</u> |
| 41.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Warehouses (excluding retail warehouses), for storage of any personal property with no sales taking place on the premises; and open storage yards of lumber, stone, brick, gravel, cement, and contractor's <del>equipment</del> <del>equip-ment</del> , or other bulky merchandise, which may be sold on the premises. (Art. 73 A.T.M. 1963, Art. 49 A.T.M. 1976 & Art. 24 Fall A.T.M. 1996) | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | <u>NO</u> | <u>NO</u>  | <u>SPA*</u> | <u>NO</u> |
| 42                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Junk yards (Enclosed by a 10' high fence or <u>other</u> closed screen acceptable to Building Inspector.                                                                                                                                                                                                                                                                                      | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | <u>NO</u> | <u>NO</u>  | <u>SPA</u>  | <u>NO</u> |
| <b>TRANSPORTATION USES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                               |            |           |            |           |           |           |     |           |            |             |           |
| 43.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Private landing area to be used solely for the landing, taking off, and storage of privately owned airplanes and/or helicopter.                                                                                                                                                                                                                                                               | <u>SPA</u> | <u>NO</u> | <u>SPA</u> | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | <u>NO</u> | <u>NO</u>  | <u>NO</u>   | <u>NO</u> |
| 44.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Motor freight or other transportation terminals; yards for the servicing of trucks and trailers.                                                                                                                                                                                                                                                                                              | <u>NO</u>  | <u>NO</u> | <u>NO</u>  | <u>NO</u> | <u>NO</u> | <u>NO</u> | (*) | <u>NO</u> | <u>NO</u>  | <u>SPA</u>  | <u>NO</u> |
| <b>INSTITUTIONAL USES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                               |            |           |            |           |           |           |     |           |            |             |           |

|                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                               | RG  | RM  | RS  | PCD | SH  | AP  | DM  | CII | INI | INII | H   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|
| 45.                                                                                                                                                                                                                                                                                                                                                                                           | Municipal facility and building for public uses and purposes, including a Town-owned dump. (Art. 52 A.T.M. 1974)                                                                                                                              | SPA | SPA | SPA | SPA | NO  | SPA | (*) | YP  | YP  | YP   | NO  |
| 46.                                                                                                                                                                                                                                                                                                                                                                                           | Public service and public utility structure including telephone exchange. (Art. 52 A.T.M. 1974)                                                                                                                                               | SPA | SPA | SPA | SPA | NO  | SPA | (*) | YP  | YP  | YP   | NO  |
| 46A.                                                                                                                                                                                                                                                                                                                                                                                          | Wireless Communications Facility, including only a BMWCF, an AWCF, and co-locating a WCF on an existing free standing monopole or lattice tower.Ø                                                                                             | SPA | SPA | SPA | SPA | SPA | SPA | SPA | SPA | SPA | SPA  | SPA |
| 46B.                                                                                                                                                                                                                                                                                                                                                                                          | Wireless Communications Facility, including only a free standing monopole.Ø (Art. 25, Spring ATM 4/9/19)                                                                                                                                      | SPA | SPA | SPA | SPA | SPA | SPA | SPA | SPA | SPA | SPA  | SPA |
| 46C.                                                                                                                                                                                                                                                                                                                                                                                          | Indoor Wireless Communications Facility (IWCF).Ø                                                                                                                                                                                              | YP  | YP  | YP  | YP  | YP  | YP  | YP  | YP  | YP  | YP   | YP  |
| Ø (Amended Art. 30, Fall ATM, 10/8/98)                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                               |     |     |     |     |     |     |     |     |     |      |     |
| 46D.                                                                                                                                                                                                                                                                                                                                                                                          | Facilities for housing telecommunications equipment, such as sites where network systems can be interconnected to the fiber optic highband cable network, or to such network as it may be modified hereafter. (Art. 5, S.T.M. #2, 10/10/00)** | NO  | NO  | NO  | NO  | NO  | NO  | SPA | SPA | SPA | SPA  | NO  |
| 47.                                                                                                                                                                                                                                                                                                                                                                                           | Church, rectory, convent, parish house, and other religious institutions. ‡                                                                                                                                                                   | YP  | YP  | YP  | YP  | NO  | SPA | (*) | YP  | YP  | YP   | NO  |
| **Special Permit by SPGA in the HM-I, HM-II, HM-III, HPU, RC and HC Districts<br>‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7. (Art. 3, STM#1, 5/9/17)<br>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3 |                                                                                                                                                                                                                                               |     |     |     |     |     |     |     |     |     |      |     |
| 48.                                                                                                                                                                                                                                                                                                                                                                                           | Schools: public, religious, sectarian, or private. ‡                                                                                                                                                                                          | YP  | YP  | YP  | YP  | NO  | SPA | (*) | YP  | YP  | YP   | NO  |
| 49.                                                                                                                                                                                                                                                                                                                                                                                           | Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.* ‡                                                                                                      | SPA | NO  | SPA | SPA | NO  | SPA | (*) | SPA | SPA | NO   | SPA |
| 50.                                                                                                                                                                                                                                                                                                                                                                                           | Sanitarium, or nursing, or rest home. (Art. 12, S.T.M. #1 Jan. 21, 1992)                                                                                                                                                                      | SPA | NO  | NO  | NO  | NO  | SPA | SPA | NO  | NO  | NO   | SPA |
| 50A.                                                                                                                                                                                                                                                                                                                                                                                          | Health Care facility, including a hospital, diagnostic and health care professional offices.                                                                                                                                                  |     |     |     |     |     |     |     |     |     |      |     |
|                                                                                                                                                                                                                                                                                                                                                                                               | i) under 2500 sq. ft.                                                                                                                                                                                                                         | NO  | NO  | NO  | NO  | NO  | YP  | YP  | YP  | NO  | NO   | YP  |
|                                                                                                                                                                                                                                                                                                                                                                                               | ii) over 2500 sq. ft. (Art. 12, S.T.M. #1 Jan. 21, 1992)                                                                                                                                                                                      | NO  | NO  | NO  | NO  | NO  | SPA | SPA | SPA | NO  | NO   | SPA |
| 50B.                                                                                                                                                                                                                                                                                                                                                                                          | Assisted Living Residence (Art. 44, Spring ATM, 4/27/10)                                                                                                                                                                                      | SPA | SPA | NO  | SPA | SPA | SPA | SPA | SPA | NO  | SPA  | SPA |
| 51.                                                                                                                                                                                                                                                                                                                                                                                           | Cemetery                                                                                                                                                                                                                                      | SPA | NO  | SPA | NO  | NO  | NO  | (*) | NO  | NO  | NO   | NO  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                  | RG  | RM  | RS  | PCD | SH  | AP  | DM  | CII | INI | INII | H  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|----|
| 52.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Library or museum                                                                | YP  | NO  | YP  | NO  | NO  | SPA | (*) | NO  | NO  | NO   | NO |
| * "However, no special permit shall be required for the day care of children in a private residence by a daycare provider, who is licensed and operates under the rules and regulations of the Commonwealth of Massachusetts, Department of Children, and who on a regular basis, receives for temporary custody and care, during part or all of the day, children under sixteen years of age, provided however, in either case that the total number of children under sixteen in a family day care home shall not exceed six, including participating children living in the residence."<br>* "Licensed Nursery Schools and/or Daycare Centers, if located in an existing building, in a (CII), INI, or (H) district, shall not be subject to section VI-DD, "Site Plan Review"; and licensed Nursery Schools and Daycare Centers, shall not be subject to the requirements of section III-A.5, Aquifer Protection District, provided they shall be located in an existing building and further provided no impervious materials shall be added to the site."<br>(Art. 14, 1987 Fall A.T.M.)<br>"‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7." (Art. 3, STM#1, 5/9/17)<br>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3 |                                                                                  |     |     |     |     |     |     |     |     |     |      |    |
| <b>OTHER USES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                  |     |     |     |     |     |     |     |     |     |      |    |
| 53.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Commercial Boarding or Training Dog Kennel (Art. 27, Spring TM 4/9/19)           | NO  | NO  | NO  | NO  | NO  | NO  | (*) | SPA | NO  | NO   | NO |
| 53A.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Commercial Breeder Dog Kennel (Art. 27, Spring TM 4/9/19)                        | NO  | NO  | NO  | NO  | NO  | NO  | (*) | SPA | NO  | NO   | NO |
| 53B.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Home Occupation/Customary Home Occupation Dog Kennel (Art. 27, Spring TM 4/9/19) | SPA | NO  | SPA | NO  | NO  | NO  | (*) | SPA | NO  | NO   | NO |
| 53C.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Personal Dog Kennel (Art. 27, Spring TM 4/9/19)                                  | SPA | NO  | SPA | NO  | NO  | NO  | (*) | SPA | NO  | NO   | NO |
| 54.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Signs as hereinafter permitted                                                   | YP  | YP  | YP  | SPA | SPA | SPA | (*) | YP  | YP  | YP   | NO |
| 55.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Other accessory uses normally incidental to a permitted use                      | SPA | SPA | SPA | SPA | SPA | SPA | (*) | SPA | SPA | SPA  | NO |
| (Art. 45, Spring A.T.M. 04/27/10 – Deleted Drive in Theatres "D")<br>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                  |     |     |     |     |     |     |     |     |     |      |    |

~~ END OF ARTICLE ~~

**ARTICLE 26**  
**Amend Zoning Bylaw: Open Space Cluster Development**  
**(Planning Board)**

**ARTICLE LANGUAGE**

To see if the Town will vote to amend the Natick Zoning Bylaw, including, but not limited to deleting the existing Section III-F Cluster Development Allowed in Certain Districts and III-F.1 Single-Family Residential Cluster Option – RSA, RSB, and RSC Districts in their entirety; adding a new Section III-F Open Space Cluster Development (OSRD); amending Section 200 Definitions; deleting Section III-A.2(a) Residential Cluster Regulations Schedule in its entirety; and further amending the Zoning Bylaw to support the deletion of the existing Sections III-F and III-F.1 and the inclusion of a new Section III-F; or otherwise, act thereon.

**PURPOSE OF THE ARTICLE**

To replace the existing cluster bylaw in its entirety. The proposed bylaw will increase the minimum parcel size for cluster developments in residential zones; adjust the mix of dwelling unit sizes in such a development; and modify the buffer requirement and the approach to determining buildable land, promoting the preservation of coherent preserved open space.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – ALL MOTIONS**

The Finance Committee met on April 4, 2023, to discuss Article 24. Amanda Loomis, Community and Economic Development Director, presented.

Ms. Loomis stated that this article is in response to the moratorium put in place on the cluster bylaw at 2022 Spring Town Meeting, which was extended at the 2022 Fall Town Meeting. We received the Attorney General’s approval for the moratorium just last week. It expires on December 1, 2023.

The article deletes Section III-F in its entirety. The goal is to preserve open space while providing alternative options for housing developments. The new bylaw will allow for cluster development on a smaller portion of a large open space parcel of land while retaining more of its natural state. To provide clarity and direction, the bylaw includes a purpose that is consistent with the Master Plan and the open space and recreation plan.

The bylaw will still require a special permit, but we are increasing the lot area, which was previously set at two acres. If you are in the RSA or RSC districts, you're required to have a minimum of four acres, of which three must be defined as Preliminary Area. If you're in the RSB, there’s a minimum of five acres, of which four have to meet the definition for Preliminary Area. The bylaw encourages alternative housing options such as two families, multi-families, townhouses, and cottage dwellings. There is a

maximum size limit of 2200 square feet for 25% of the dwelling units created to ensure that the housing is at a smaller scale since they are clustered together. The units can be placed on a common lot or individual lots, which allows for personalization of units, such as putting up sheds or having a patio.

The previous bylaw had a calculation that did not take out a lot of factors, resulting in more units than the property could reasonably hold. We wanted to make a realistic calculation, but also allow for a slight density bonus because the developers are creating smaller houses and being required to give affordable units.

The developer must create a survey of the land, which identifies any easements, wetlands, vernal pools, and their associated buffers, and riverfront areas that will be removed from the calculation. If the parcel has wetlands, vernal pools, or falls under conservation jurisdiction, it must go to Conservation first for a notice of determination and stormwater management bylaw permit if required. If they do not need to, then they come right to the Planning Board with their land or their survey plan with their calculation.

The Preliminary Area calculation takes into account the total area minus all of the factors mentioned above, including delineated wetlands and associated buffers, non-buildable easements, recorded restriction areas, priority or establish habitat areas, and footprints for structures that remain. A historic structure or a structure that they did not want to remove cannot be counted as open space, so it is considered the preliminary area. From there, 15% is taken away for roads or utilities, which is something the previous bylaw did not do. You would then divide that by 50% of the minimum lot area for that underlying zoning district to yield the number of units. We have run a couple of calculations and it does yield the right amount or just a couple more units.

Ms. Loomis summarized the dimensional requirements: minimum 5,000 square ft lot size, setbacks of 15 ft from the street or other buildings, building height not to exceed 35 ft. Each dwelling unit will have exclusive access to an outdoor area of at least 500 square feet for a yard, patio, or deck. Adjoining walls of attached dwellings can have a zero lot line.

For off-street parking, there is a minimum of one exterior parking space per unit, which does not include garage space. There's also a minimum of one space for every three dwelling units to provide for visitor parking.

Since one of the goals of this article is open space preservation, a minimum of 35% of the Preliminary Area will be preserved open space, permanently protected, in its natural habitat. Native trees over eight inches in diameter, habitat areas, and sloped areas are expected to be preserved. A conservation restriction an agricultural preservation restriction, or a deed restriction, would be required to ensure that the open space was preserved in perpetuity.

Inclusionary housing will comply with the requirements of Section V-J for the creation of the affordable units.

The obsolete cluster zoning district language will be deleted from other parts of the Zoning Bylaws.

#### Questions from the Committee

A member asked about how often waivers are used. Ms. Terri Evans, Planning Board member, stated that have waiver provisions in our bylaws normally that allow a 10% waiver either way, for certain dimensional requirements. We use it very sparingly.

A member asked if there are any current projects that this bylaw might apply to. Ms. Loomis said no, although there was a recent project using the existing III-F that the Planning Board denied project recently.

Mr. Martin Kessel, Chair of the Open Space Advisory Committee, asked about how this proposal compares to an earlier version which had 50% open space requirements based on total land area. Ms. Loomis said although each project is different, we did decrease it to 35% because we are removing the wetlands, removing the vernal pools, and the easements. If a parcel did not have any constraints, then we would be getting probably less. But if it had more constraints, you would be getting significantly more, because of those areas being in addition to the 35%.

Mr. Kessel asked about the requirement that 75% of the open space be upland or non-wetlands. Can wetlands or easements be included within the conservation restriction? Ms. Loomis stated you can always put a deed restriction on those wetlands. Most of the time, we're going to be seeing deed restrictions rather than conservation restrictions or agricultural preservation restrictions because the state doesn't want to hold small pieces that don't connect. We do require the homeowners association or trust to maintain those areas.

## FINANCE COMMITTEE RECOMMENDATION – MOTION A

|                                                              |                  |                         |
|--------------------------------------------------------------|------------------|-------------------------|
| MOTION A<br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                              | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                              | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION A (Requires a 2/3 Vote)

#### **MOTION A - Replace current Cluster Development Bylaw with Open Space Residential Development**

***Move to amend the Natick Zoning Bylaw by deleting § III-F Cluster Development Allowed in Certain Districts in its entirety and replacing it with a new § III-F Open Space Residential Development (OSRD), to read as follows:***

#### **III-F OPEN SPACE RESIDENTIAL DEVELOPMENT**

1. **PURPOSE**

Open Space Residential Development (OSRD) is an alternative design option for the construction of residential neighborhoods that preserve open space, protect natural resources, diversify Natick's housing stock, and enhance its aesthetic character. Further, the OSRD advances the goals and policies of Natick's long range planning documents and the Open Space and Recreation Plan.

2. **APPLICABILITY**

- a. OSRDs shall be allowed by special permit with site plan review granted by the SPGA;
- b. All of the land must be in an RSA, RSB, or RSC Zoning District;
- c. Land may be a single parcel or contiguous parcels in one ownership throughout or consolidated under a Purchase and Sale Agreement having a total gross land area equal to:
  - Four (4) acres or more in the RSA district and RSC district, with a minimum of three (3) acres of Preliminary Area as defined in § V-4.d, and defined as a conforming lot per § IV.B Intensity Regulations by Zoning District; or
  - Five (5) acres or more in the RSB district, with a minimum of four (4) acres of Preliminary Area as defined in § V-4.d, and defined as a conforming lot per § IV.B Intensity Regulations by Zoning District.

3. **STRUCTURE TYPES AND LOT DESIGN**

- a. Applicants are encouraged to include a mixture of building types, sizes, and styles within an OSRD to diversify the housing stock within Natick. Such a mixture may include Single-Family Dwellings, Two-Family Dwellings, Town Houses, and Cottage Dwellings and may be incorporated within the OSRD Special Permit.
- b. Residential units may range in size, but no more than twenty five (25) percent of units shall exceed twenty two hundred (2,200) square feet. Such unit size shall include the footprints of the first and second story (minus porches, decks, and balconies), plus garage space.
- c. Units may be placed on a common lot or on individual lots.

4. **DETERMINATION OF RESIDENTIAL UNITS**

- a. The unit density of an OSRD shall be determined based on a calculation derived from a land survey prepared and stamped by a professional land surveyor or engineer licensed in the Commonwealth of Massachusetts, which will be referred to herein as a Plan of Land.
- b. The Plan of Land shall show the existing conditions of the entire parcel of the proposed OSRD, including property boundaries; site topography at 2-foot contour intervals; physical features such as buildings, stone walls, historic features, and trees over 8 inch caliper; the locations and widths of any existing curb cuts; areas of travel such as driveways, parking areas, sidewalks, and paths; delineated wetland resource areas and vernal pools and associated buffer zones; and any easements or recorded restrictions.
- c. Accompanying the Plan of Land shall be a table prepared by and stamped by a professional land surveyor or engineer licensed in the Commonwealth of Massachusetts, that shows in square feet: total land area, delineated Wetland Resource Areas [except Riverfront Area], total flood plain area defined by the Federal Emergency Management Agency (FEMA) as Zone A or AE, vernal pool area with associated buffer, Non-Buildable Easement areas, Recorded Restriction areas, and priority habitat area of rare and endangered species.
- d. The calculation for the number of units is as follows:

Step 1: Total Land Area less the following:

- Delineated Wetland Resource Areas as defined by the Natick Conservation Commission [except Riverfront Area] and all areas defined by FEMA as Zone A or AE (1 percent Annual Chance of Flooding with or without Base Flood Elevation (BFE))
- Vernal Pool Area with associated buffer zone as defined by the Natick Wetlands Protection Bylaw, including on-site buffer zone associated with Vernal Pool Area that may be located on adjacent off-site parcels.
- Non-Buildable Easement Area
- Recorded Restriction Area
- Priority or Estimated Habitat Area of Rare or Endangered Species
- Foot prints of structures that will remain as part of the OSRD

The resulting net area will be considered the **Preliminary Area**.

Step 2: Preliminary Area less fifteen (15) percent for roads and infrastructure shall be considered the **Developable Area**.

Step 3: The Developable Area divided by fifty (50) percent of the Minimum Lot area of the underlying zoning district shall yield the maximum **Number of Units** that can be proposed for an OSRD.

## 5. PERMITTING PROCEDURE

OSRDs will be reviewed under a two-part review process.

### a. Conservation Commission

The Applicant shall seek an Order of Resource Area Delineation from the Conservation Commission for the entire parcel of the proposed OSRD or shall submit a statement prepared and signed by a registered professional engineer or wetland scientist stating that no such resources areas exist on the parcel. If required, the applicant shall also seek a Stormwater Management Permit from the Conservation Commission.

### b. Planning Board

The Planning Board shall review an OSRD project in accordance with the provisions of § VI-DD of this By-Law (Special Permit Procedures and Site Plan Review). The Planning Board shall adopt

additional application requirements, review and approval procedures, and design guidelines to effectuate the implementation of this section of the By-Law.

6. DIMENSIONAL REGULATIONS

- a. Individual lots within an OSRD Project shall be a minimum of five-thousand (5,000) square feet in area.
- b. Proposed structures, driveways, and roadways shall be located a minimum of fifteen (15) feet in the RSA and RSC and twenty-five (25) feet from the OSRD Project property line.
- c. Structures shall not exceed thirty-five (35) in height.
- d. Structures shall be set back a minimum of fifteen (15) feet from a street or sidewalk within an OSRD Project, and twenty-five (25) feet from a public or private roadway or sidewalk.
- e. Buildings on a common lot shall have a minimum separation of fifteen (15) feet
- f. Each dwelling unit on a common lot shall have exclusive access to an outdoor area of at least five hundred (500) square feet, which area can be a yard, patio, deck, or combination thereof.
- g. An adjoining wall of an attached dwelling or adjacent dwelling units may coincide with an internal lot line (so-called "zero lot line"). Where such design is utilized, the lot area of such lots may be twenty-five (25) percent of the area allowed in the respective zoning district with the remainder of the space as open space or common area, however, such lot area allowance shall not alter or affect the calculation of the number of allowable units within the proposed OSRD.

7. OFF-STREET PARKING

- a. A minimum of one exterior parking space per residential unit shall be provided.
- b. A minimum of one parking space per every three dwelling units shall be provided for visitor parking. Unless the SPGA finds that internal roadways can manage on-street parking to satisfy such visitor parking requirement.

8. OPEN SPACE AND PRESERVATION

- a. Preserved Open Space  
A minimum of thirty-five (35) percent of the Preliminary Area, shall be set aside as Preserved Open Space with seventy-five (75) percent of such area being contiguous upland area. The Preserved Open Space can be connected and/or located on two sides of a non-buildable easement. Such area shall be permanently protected, and to the extent feasible, meet the conservation goals of Natick's long range plans and the Town's Open Space and Recreation Plan, as amended.
- b. Preservation Requirements  
Each OSRD Project is expected to preserve and maintain natural features, native trees over eight (8) inches in diameter, habitat areas, and sloped areas. Where possible, development should be sited to preserve and maintain mature native trees and the critical root zone. Meadow and field maintenance and/or trail construction and maintenance may be required through a Homeowners Association or Trust.
- c. Open Space Restriction  
The entire Preserved Open Space area shall be placed under a Conservation Restriction (CR), Agricultural Preservation Restriction (APR), or acceptable deed restriction, which shall protect the Preserved Open Space in perpetuity. Such restriction shall be drafted, approved, and recorded prior to the issuance of the first occupancy permit at the expense of the Applicant. The Applicant may opt to gift the Town or local non-profit the Preserved Open Space.

9. INCLUSIONARY HOUSING

An OSRD shall comply with § V-J. for the creation of affordable units.

10. WAIVERS

The Planning Board may waive strict compliance with provisions of this § III-F, by a four-fifths (4/5) vote if it is found that the granting of such a waiver will benefit the neighborhood in which the OSRD is located; result in the preservation or enhancement of the natural environment; or yield a superior design in terms of location of building sites, alignment of roadways and driveways, layout and location of parking, pedestrian and bicycle access and circulation, location of open space and recreational facilities, and other related and similar considerations.

## FINANCE COMMITTEE RECOMMENDATION – MOTION B

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION B<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION B (Requires a 2/3 Vote)

#### **MOTION B – Insert, revise and delete definitions**

##### ***Move to Amend Section 200 – Definitions as follows:***

##### ***Move to insert immediately after the definition for Affordable Dwelling Units the following:***

**Agricultural Preservation Restriction (APR):** A restriction and agreement in perpetuity with owners of an Open Space Residential Development (OSRD), in accordance with M.G.L. c. 184, § 31. An APR is a legally binding set of restrictions that is monitored and enforced by the Massachusetts Department of Agricultural Resources, a town conservation commission and/or a land trust. Owners of an OSRD may voluntarily enter into these agreements by selling the APR for a negotiated price based on the appraised value of the restriction.

##### ***Move to insert immediately after the definition for Commercial Parking Lot the following:***

**Conservation Restriction (CR):** A restriction and agreement in perpetuity for the protection of open space, in accordance with M.G.L. c. 184, § 31. A CR is a legally binding set of restrictions that is monitored and enforced by the Massachusetts Department of Conservation Services, the Natick Conservation Commission and/or a land trust.

##### ***Move to insert immediately after the definition for Dwelling:***

**Dwelling, Cottage:** A building containing one (1) single-family dwelling unit that does not exceed a total of 1,800sf of habitable space, plus the garages, decks, porches, and balconies.

##### ***Move to insert immediately after the definition for Open Space Public Benefit Amenity:***

**Open Space Residential Development (OSRD):** as defined by MGL, c. 40A, Section 1A

##### ***Move to delete the following definitions:***

Cottage, Small Single Family  
Development Area  
Preserved Open Space  
Preserved Open Space

## FINANCE COMMITTEE RECOMMENDATION – MOTION C

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION C<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION C (Requires a 2/3 Vote)

**MOTION C – Delete obsolete cluster zoning district language from Special Permit Procedures and Site Plan Review list and Use Schedule**

***Move to amend the Natick Zoning Bylaw § VI-DD.2.A.a.1, by deleting the following obsolete categories from the list of Special Permit Granting Authority designations:***

Town House Cluster Development – RSA  
Single Family Town House Cluster Development – RSB  
Single Family Town House Cluster Development – RSC

***and adding a new line immediately after “Highway Planned Use” the following:***

Open Space Residential Development (OSRD)

*to read (in part) as follows*

#### 2. A. Special Permits

- a. Special Permit Granting Authority. As designated in this By-Law, the Board of Appeals or the Planning Board shall act as the Special Permit Granting Authority (SPGA) for hearing and deciding all matters pertaining to Special Permits and for issuance of such Special Permits. The specific assignments are listed below.
  1. The Planning Board shall act as the SPGA in the following Districts:
    - Highway Mixed Use - I
    - Highway Mixed Use II
    - Highway Mixed Use III
    - Highway Planned Use
    - Open Space Residential Development (OSRD)**

***Move to amend the Natick Zoning Bylaw § VI-DD.2.B.A) by deleting the following obsolete categories from the list of Site Plan Review and SPGA Designation districts administered by the Planning Board:***

SPGA Town House Cluster Development – RSA  
Single Family Town House Cluster Development – RSB  
Single Family Town House Cluster Development – RSC

***and adding a new line immediately after Highway Planned Use the following:***

## Open Space Residential Development (OSRD)

to read (in part) as follows

### 2.B Site Plan Review Applicability and SPGA Designation

- a) All uses, other than Uses Nos. 1, 3, 5, 8, 9, 17, 18, 46, 47 and 48, permitted or allowed in the following Zoning districts, shall be subject to the Site Plan Review Procedure described herein, to be administered by the Planning Board, acting as the SPGA:

Highway Mixed Use - I

Highway Mixed Use - II

Highway Mixed Use - III

Highway Planned Use

**Open Space Residential Development (OSRD)**

**Move to delete § III-A.2(a) Residential Cluster Regulation Schedule in its entirety**

### **III-A.2(a) RESIDENTIAL CLUSTER REGULATION SCHEDULE**

| ZONING DISTRICT:                       | Minimum Lot Area                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Min. Contiguous Frontage                  | Minimum Lot Depth                        | Min. Front Setback                       | Min. Side Setbacks                      | Min. Rear Setback                        | Maximum Lot Coverage                  | Max. Building Height         | Minimum Open Space |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------------|------------------------------------------|-----------------------------------------|------------------------------------------|---------------------------------------|------------------------------|--------------------|
| Single Residence A (RSA)               | 15,000 sf                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 110 feet                                  | 125 feet                                 | 30 feet                                  | 12 feet                                 | 25 feet                                  | 25%                                   | 2.5 stories/35 feet          | None               |
| RS A CLUSTER OPTION                    | Single-family homes (SFH), town houses (TH) and small single family cottages (SFC) may be constructed in Cluster Developments in the RS A District on contiguous parcels measuring at least two (2) acres through Site Plan Review Procedures from the Planning Board outlined in Section VI-DD.2(B). At least 50% of the total site area must be Protected Open Space. The following dimensional requirements apply to lots with structures developed in RS A Clusters. These can be reduced up to 15% by the Planning Board to account for unique site conditions as long as all parcels meet the egress, accessibility and off-street parking requirements of this by law. In RS A clusters, two (2) single family cottages (SFC) may be developed in the place of a single family dwelling (SFD).   |                                           |                                          |                                          |                                         |                                          |                                       |                              |                    |
| RS A Cluster Dimensional Requirements: | 33% of regular<br><del>std. 5,000</del><br>sf                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 60% of regular<br><br>std. <b>66 feet</b> | 60% of regular<br>std.<br><b>75 feet</b> | 60% of regular<br>std.<br><b>18 feet</b> | 60% of regular<br>std.<br><b>7 feet</b> | 60% of regular<br>std.<br><b>15 feet</b> | 120% of regular<br>std.<br><b>30%</b> | <b>2.5 stories / 35 feet</b> | <b>None</b>        |
|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                           |                                          |                                          |                                         |                                          |                                       |                              |                    |
| Single Residence B (RSB)               | 40,000 sf                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 140 feet                                  | 150 feet                                 | 40 feet                                  | 20 feet                                 | 40 feet                                  | 20%                                   | 2.5 stories/35               | None               |
| RS B CLUSTER OPTION                    | Single-family homes (SFH), town houses (TH) and small single family cottages (SFC) may be constructed on Cluster Developments in the RS B District on contiguous parcels measuring at least two (2) acres through Site Plan Review Procedures from the Planning Board outlined in Section VI-DD.2(B). At least 50% of the total site area must be Protected Open Space. The following dimensional requirements apply to lots with structures developed in RS B Clusters. These can be reduced up to 15% by the Planning Board to account for unique site conditions as long as all parcels meet the egress, accessibility and off-street parking requirements of this by law. In RS B clusters, three (3) single family cottages (SFC) may be developed in the place of a single family dwelling (SFD). |                                           |                                          |                                          |                                         |                                          |                                       |                              |                    |

|                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                       |                                             |                                             |                                             |                                             |                                          |                                  |             |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|------------------------------------------|----------------------------------|-------------|
| RS B Cluster<br>Dimensional<br>Requirements: | 30% of<br>regular<br>std. <b>12,000<br/>sf</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 60% of regular<br>std. <b>84 feet</b> | 60% of<br>regular<br>std.<br><b>90 feet</b> | 60% of<br>regular<br>std.<br><b>24 feet</b> | 60% of<br>regular<br>std.<br><b>12 feet</b> | 60% of<br>regular<br>std.<br><b>24 feet</b> | 125% of<br>regular<br>std.<br><b>25%</b> | <b>2.5 stories<br/>/ 35 feet</b> | <b>None</b> |
|                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                       |                                             |                                             |                                             |                                             |                                          |                                  |             |
| Single<br>Residence C<br>(RSC)               | 20,000 sf                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 120 feet                              | 125 feet                                    | 30 feet                                     | 12 feet                                     | 25 feet                                     | 20%                                      | 2.5 stories<br>/ 35 feet         | None        |
| RS C CLUSTER<br>OPTION                       | Single family homes (SFH), town houses (TH) and small single family cottages (SFC) may be constructed on Cluster Developments in the RS C District on contiguous parcels measuring two (2) acres through Site Plan Review Procedures from the Planning Board outlined in Section VI-DD.2(B). At least 50% of the total site area must be Protected Open Space. The following dimensional requirements apply to lots with structures developed in RS C Clusters. These can be reduced up to 15% by the Planning Board to account for unique site conditions as long as all parcels meet the egress, accessibility and off-street parking requirements of this by-law. In RS C clusters, two (2) single family cottages (SFC) may be developed in the place of a single family dwelling (SFD). |                                       |                                             |                                             |                                             |                                             |                                          |                                  |             |
| RS C Cluster<br>Dimensional<br>Requirements: | 30% of<br>regular std.<br><b>6,000 sf</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 60% of regular<br>std. <b>72 feet</b> | 60% of<br>regular<br>std.<br><b>75 feet</b> | 60% of<br>regular<br>std.<br><b>18 feet</b> | 60% of<br>regular<br>std.<br><b>7 feet</b>  | 60% of<br>regular<br>std.<br><b>15 feet</b> | 150% of<br>regular<br>std.<br><b>30%</b> | <b>2.5 stories<br/>/ 35 feet</b> | <b>None</b> |

~~ END OF ARTICLE ~~

## EXISTING CLUSTER BY-LAW

### III-F CLUSTER DEVELOPMENT ALLOWED IN CERTAIN DISTRICTS

There is a temporary moratorium on accepting new applications under this section intended to allow the Town of Natick adequate time to undergo comprehensive review and planning, and revise this bylaw accordingly at a future Town Meeting. The moratorium period extends from March 2, 2022 (the date of legal notification of the enabling warrant article) for a period of 15 months thereafter, until June 1, 2023.

**AFFORDABILITY** - Notwithstanding anything to the contrary, any Special Permit granted in accordance with this Section shall be subject to and consistent with the provisions of Section V-J of this by-law.: (Art. 32, Fall TM 10/16/18)

1. All Affordable Housing Units to be sold shall be provided for sale through the Natick Housing Corporation or any similar organization, as determined by the Planning Board.
2. Affordability Standards – Subject to Planning Board approval, an applicant for a special permit may utilize any available State or Federal assistance program to meet the Affordable Housing Unit requirements as defined in 760 CMR 56 and by establishing rents, leases, sales prices, entry fees, condominium fees, and other costs for individuals that are generally consistent with available Affordable Housing assistance programs.
3. Affordability Restrictions – Affordable Housing Units shall be maintained in perpetuity. Each Affordable Housing Unit shall be rented or sold to its initial and all subsequent buyers or tenants subject to deed riders, restrictive covenants, contractual agreements, or other mechanisms restricting the use and occupancy, rent levels, sales prices, resale prices, and other cost factors to assure their long term affordability. These restrictions shall be in force in perpetuity and shall be enforceable by the Town of Natick through standard procedures provided by applicable law.
  - i. The Planning Board may require that the restrictions for Affordable Housing Units contain a right of first refusal to the Town of Natick or its designee at the restricted resale value, and that the owner provides notice of such right of first refusal to the Planning Board or its designee prior to selling or reselling an Affordable Housing Unit with such reasonable time as the Planning Board may determine, in its discretion for the town or its designee, is necessary to exercise the right of first refusal.
  - ii. Nothing in this Section shall be construed to cause the eviction of an owner or tenant of an Affordable Housing Unit due to loss of his/her income eligibility status during the time of ownership or tenancy. Rather, the restrictions governing an Affordable Housing Unit shall be enforced upon resale, re-rental, or re-lease of the Affordable Housing Unit. The mechanisms and remedies to enforce the restrictions governing an

Affordable Housing Unit upon resale, re-rental, or re-lease shall be set forth in its deed restrictions.

- iii. All contractual agreements with the Town of Natick and other documents necessary to insure the long-term affordability of an Affordable Housing Unit shall be executed prior to the issuance of any building permit under this option.
  - 4. The exterior of Affordable Housing Units shall be compatible with, and as much as possible indistinguishable from, market-rate dwelling units in the development.
  - 5. Local Preference – Unless otherwise regulated by an applicable Federal or State agency under a financing or other subsidy program, at least fifty percent (50%) of the Affordable Housing Units shall be initially offered to residents and/or employees of the Town of Natick.
    - i. Residency and employment in Natick shall be established through Town Clerk certification based on the Town Census, voter registration, or other acceptable evidence approved by the Town Clerk.
    - ii. Purchaser/tenant selection – Procedures for the selection of purchasers and/or tenants shall be subject to regulations adopted by the Planning Board.
    - iii. These restrictions shall be in force for one hundred and twenty (120) days from the date of the first offering of sale or rental of a particular Affordable Housing Unit.
- (Art. 52 F.T.M 10/17/17)

### **III-F.1 SINGLE FAMILY RESIDENTIAL CLUSTER OPTION - RSA, RSB & RSC DISTRICTS**

#### **1. PURPOSE AND INTENT:**

Single Family Residential Cluster (SRC) is a development option designed to help the Town maximize available land for open space and diversify Natick's housing stock with a variety of dwellings, including accessible or age-qualified units.

Residential cluster development also helps preserve Natick's local character, minimizes the amount of impervious surfaces on residential lots, improves neighborhood connectivity and advances the goals and policies of Natick's Comprehensive Master Plan and its Open Space and Recreation Plan.

Clustering fosters a more economical and efficient use of residential land than may be accomplished through standard subdivision development by utilizing Open

Space Residential Design (OSRD) and Low Impact Design (LID) principles encouraged by the Massachusetts Executive Office of Environmental Affairs (EOEA) to protect the existing character of the landscape and preserve more public open space for water supply, wetland, and other natural habitat, conservation, and recreation. In addition, cluster development reduces the typical costs of providing municipal services to residential developments. SRC development is an optional alternative in the Residential Single (RSA, RSB or RSC) zoning districts.

## 2. APPLICABILITY

The Special Permit Granting Authority (SPGA), as hereinafter provided, may grant Special Permits for SRC in accordance with Section VI-DD and VI-EE of these by-laws and subdivision approval in accordance with the subdivision rules and regulations, and other rules and regulations as adopted pursuant to Section III-F.1.4(c) herein, for the construction and occupancy of a SRC located in RS A, RS B or RS C zoning districts, provided that the gross land area of the development parcel is at least two (2.0) or more acres (87,120 square feet).

The applicant must either own or submit authorization in writing to act for all the owners to the lots comprising the parcel prior to submitting a formal application.

## 3. PERMITTED AND ALLOWED USES

The SPGA may grant Special Permits pursuant to the provisions of the By-Law and M.G.L. Chapter 40A for the following uses:

- a. Single-family dwellings provided that the total number of such dwellings does not exceed the total number of units permitted for the entire SRC pursuant Section III-F.1.7 herein and which meet the dimensional requirements of single family lots as stated in Section III-F.1.9(a) herein.
- b. Small single-family cottages (SFC) pursuant Section III-F.1.7 and which meet the dimensional requirements of cottage lots as stated in Section III-F.1.9 (c) herein.
- c. Town houses provided that the total number of such dwellings does not exceed the total number of units permitted for the entire SRC pursuant Section III-F.1.7 and which meet the dimensional requirements of town home lots as stated in Section III-F.1.9 (b) herein.

- d. Indoor & outdoor tennis courts, swimming pools and other non-commercial active recreational facilities with use restricted to residents of the SRC, including accessory structures necessary for appropriate non-commercial use and operation of such recreational facilities.
- e. Open space, accessible to the public, subject to Section III-F.1.14.
- f. The SPGA may adopt regulations further controlling the relative percentage mix of single-family dwellings, single-family cottages, town houses, and age-qualified housing units.

#### 4. PROCEDURES:

The procedures for obtaining Special Permit for SRC are:

- a. Pre-Application: To promote better communication, reduce pre-development costs and increase efficiency, the applicant shall request a SRC Pre-Application Review with the Community and Economic Development Department and staff of the Conservation Commission, Board of Health, Department of Public Works and any other Department, Board and/or Committee with interest in the proposal to the pre-application review. At the SRC Pre-Application Review, the applicant may outline a proposal, seek preliminary feedback from town staff, and set a timetable for submittal of a formal application. At the request and expense of the applicant, the SPGA may engage technical experts to review the informal plans of the applicant and to facilitate submittal of a formal application for Special Permit Approval of a SRC.

In order to facilitate review at the SRC Pre-Application stage, applicants must submit three (3) copies of the following information to the Community and Economic Development Department:

- i. Residential Conservation Analysis Map. This map illustrates the parcel in relation to its surrounding neighborhood and displays existing conditions on the property. It shall include the most recent color orthographic photo of the project area, land within 300 feet of the project area, and parcel lines, and be prepared and stamped by a registered professional engineer, landscape architect or professional land surveyor at the scale of 1" = 100' or of greater detail. The plan shall document the presence (if at all) of the

following features: wetlands, riverfront areas, floodplains and steep slopes (slopes greater than 15%), mature un-degraded woodlands, hedgerows, farmland, unique or special wildlife habitats, Natural Heritage and Endangered Species Program (NHESP) features, historic or cultural features (such as old structures, stone walls), unusual geologic formations, potential foot, bicycle, horse, ski, snowmobile or wildlife connections to adjacent or nearby undeveloped lands, and scenic views in to and out from the property. Overlaying this plan onto a development plan identifies areas where conservation priorities and desired development overlap and/or conflict. This map will delineate three areas for the SPGA's review:

1. PRIMARY CONSERVATION AREAS: areas containing the proposed Preserved Open Space, where development will be prohibited, which shall be permanently protected and which shall, to the extent feasible, be contiguous and meet the conservation goals of Natick's Comprehensive Master and Open Space and Recreation Plans. Refer to Section 14 for more information;
  2. POTENTIALLY DEVELOPABLE AREA: areas containing the proposed Development Area, where structures, driveways, roadways, and other elements in the SRC development are proposed to be located. Refer to Section 6 for more information.
    - ii. Conceptual Subdivision Plan. This plan shall display the layout of single-family house lots according to relevant dimensional regulations for the underlying Single Family Residential District in Section IV-B herein.
- b. Formal Application: The applicant for a SRC shall submit to the SPGA a formal application for a Special Permit which includes a preliminary cluster subdivision plan and the Residential Conservation Analysis Map. The application shall be filed in the name of the record owner(s) of the parcel(s) to be developed. The date of application shall be the date when filing is made with the Town Clerk. (Art. 28, Fall ATM, 10/19/21)
- c. Conservation Analysis and Finding: The SPGA shall, in the course of its Special Permit review, study the Residential Conservation Analysis Map and shall make a Cluster Conservation Finding that shall be incorporated into its actions on the Special Permit. The SPGA may waive portions of the required

submittal for a Residential Cluster Analysis when the SPGA first consults with the Conservation Commission and any other Committee and/or Board, and determines that the waived portion of the conservation analysis is not relevant and useful to decisions about a particular project area and would impose an undue hardship on the applicant and serve no benefit to the town.

In making its Cluster Conservation Finding, the SPGA shall:

- i. Notify the applicant forthwith if the information provided is incomplete or appears to be in error;
  - ii. Provide a copy of the Conservation Analysis to the Conservation Commission and any other Committee and/or Board within 14 days of receipt;
  - iii. Consult with the Conservation Commission any other Committee and/or Board, the most recently adopted Comprehensive Master Plan, and the most recently adopted Open Space and Recreation Plan; and
  - iv. Identify which areas are most important to protect from development and which conservation values should be optimized in project design. The priority shall be to identify opportunities for protection of ecologically sensitive areas, contiguous un-fragmented forestland, timber and forest management, wildlife habitat and habitat connectivity, hunting, fishing, gathering, agricultural activities, farmland, water supply areas, vistas, historic and pre-Columbian features, rural character features, trail links, and other unique attributes.
- d. Further Procedures: The hearing and further proceedings regarding the application shall be in accordance with M.G.L. Chapter 40A; M.G.L. Chapter 41, Section 81K et seq; and the Town of Natick By-laws. The SPGA may adopt Rules and Regulations for the proceedings under Section III-6.F, and in accordance with M.G.L. Chapter 41, Section 81A, and 81Q; and may waive strict compliance therewith, in accordance with M.G.L. Chapter 41, Section 81R.

#### 5. CRITERIA:

Approval of the application for a Special Permit and for subdivision approval to allow the construction of a SRC shall be granted only upon SPGA determination that the cluster plan is superior to a conventional subdivision plan.

- a. The following criteria shall be used to make the determination as to whether or not the plan is superior:
  - i. The preservation of open space for conservation or passive recreation and other objectives, including appropriate public accessibility and connectivity to other open spaces, as delineated in the town's current Comprehensive Master and Open Space and Recreation Plans;
  - ii. The protection of significant, large and contiguous areas of natural features of the land which would avoid extensive topographic change necessitating vegetation and tree removal or earth removal;
  - iii. The protection of historical or other significant features;
  - iv. More efficient provision of street, utilities and other public services;
  - v. The provision of a diversity of dwelling unit styles, sizes, and architectural elements;
  - vi. Less sprawling and more efficient forms of residential development using Low Impact Development (LID) principles to conform to existing topography and natural features; and
  - vii. Reduced energy consumption and greenhouse gas emissions.
  - viii. The plan works to buffer adjoining properties from objectionable features such as highways or rail lines.
- b. Specific means of achieving plan superiority include:
  - i. Avoidance of frequent driveway openings onto through streets, or near street intersections;
  - ii. Avoidance of extensive topographic change necessitating vegetation, earth and/or tree removal;
  - iii. Preservation of scenic views from public ways in conformance with the goals of Natick's Comprehensive Master and Open Space and Recreation Plans;

- iv. Preservation of natural landscapes in large contiguous areas and corridors, which are visible from roadways and residences, enhancing the likelihood of the continuation of existing ecosystems and providing an interconnection to adjoining open spaces for both wildlife and public access, in conformance with and to achieve the goals of Natick's Comprehensive Master and Open Space and Recreation Plans;
- v. Accessibility of the Preserved Open Space to substantially all of the dwelling units and the public, in conformance with and to achieve the goals of Natick's Comprehensive Master and Open Space and Recreation Plans;
- vi. Variations in lot sizes, building styles, building sizes and building arrangements; and
- vii. Use of Preserved Open Space - to protect significant natural environment such as but not limited to ground water recharge areas; wetlands that provide flood protection; stream valleys; outstanding vegetation; woodland; field and wetland habitat; or scenic spots; and - to avoid development on geologically unsuitable land.

#### 6. PRESERVED OPEN SPACE AREA:

Single-Family Residential Cluster (SRC) developments preserve publicly accessible open space in larger tracts of developable land, by setting aside a portion of the parcel area for Preserved Open Space, leaving a Development Area as set forth below:

- a) The Preserved Open Space Area shall comprise not less than FIFTY (50) PERCENT of the total land area of SRC on parcels measuring less than ten (10) acres for which there is a Final Special Permit and will not include rights of way for roads, lots for single-family houses, cottages or town houses (attached or detached) or recreational facilities as defined in Section III-F.1.3(d).
- b) Preserved Open Space Area shall comprise not less than SIXTY (60) PERCENT of the total land area of SRC on parcels encompassing ten (10) or more acres for which there is a Final Special Permit and will not include rights of way for roads, lots for single-family houses, cottages or town houses

(attached or detached) or recreational facilities as defined in Section III-F.1.3(d).

## 7. NUMBER OF DWELLING UNITS:

The maximum number of dwelling units (in full-size single-family homes or town houses) allowed in a SRC shall equal the “Net Usable Land Area” within the parcel divided by the Minimum Lot Area requirements for single-family homes in the host Single Residential zone, as determined by Section IV-B of these By-Laws,. This number of dwelling units is multiplied by an Adjustment Factor determined by the average size of homes to be developed, as shown in the schedule below, then rounded up to the nearest whole number:

| <u>Average Dwelling Size (Gross Floor Area)</u> | <u>Adjustment Factor (Single-family houses/townhouses)</u> |
|-------------------------------------------------|------------------------------------------------------------|
| Less than 1,500 square feet                     | 1.30 (130%)                                                |
| 1,500 – 2,000 square feet                       | 1.10 (110%)                                                |
| More than 2,000 square feet                     | 1.0 (100%)                                                 |

In all SRC, at least thirty percent (30%) of all dwelling units shall contain no more than 2,000 square feet of Gross Floor Area.

As used herein, "Net Usable Land Area": shall mean the total land area of the parcel minus wetlands or land within the 100-year flood elevation as shown on Town wide Drainage study maps or as delineated by a qualified wetland scientist. Furthermore, if the Final Special Permit includes a recreational facility, all the land area dedicated to that facility will be deducted from the “net usable land area” for the purpose of calculating the maximum number of dwelling units.

**Example #1:** An applicant proposes to develop a subdivision of single-family homes (averaging 1,900 square feet in Gross Floor Area) on a five-acre (217,800 square feet) lot in an RSA zone with no wetlands or 100-year floodplains. In this case:

1. The development site has a Gross Land Area of 5 acres (217,800 sf); with no wetlands or 100-Year Flood Plains. The Net Development Area of the site = Gross Land Area (5 acres) – Wetland/Flood Plain Area (0 sf) = **5 acres (217,800 sf)**.
2. With a minimum lot size in RSA zones is 15,000 sf, per Section IV-A, this site can accommodate a maximum number of single-family homes in an SRC of: 5 acres (217,800 sf) Site Area / 15,000 sf Min. Lot Size = 14.52 **single-family homes**.
3. The 1,900 sf average dwelling size allows the total number of dwellings to be increased by 10%: 14.52 homes x 1.10 = 15.97, or 16 single familyhomes.
4. 30% of these 16 single-familyhomes must be smaller than 2,000 sf: 16 units x 30% = 4.8 or 5 homes must be sized less than 2,000 sf.

5. Alternatively, the applicant could develop two (2) small single-family cottages (SFC) for each single-family home allowed on the site, up to a maximum of: 16 single family homes x 2 = 32 **single-family cottages**.

(Art. 28, Fall ATM, 10/19/21)

## 8. COTTAGE DWELLINGS

Single-Family Cottages (SFC) may be substituted for each full-size single-family home or town house allowed in an SRC, in compliance with the Intensity Regulations of Part C of Section III-F.1.9, according to the following schedule:

RSA & RSC districts: Two (2) single-family cottages (SFC) in lieu of one (1) full-size single-family house / townhouse

RSB district: Three (3) single-family cottages (SFC) in lieu of one (1) full-size single-family house / townhouse

Single-Family Cottage dwellings can be located in detached structures, attached town houses or attached zero-lot line structures that comply with the provisions of Section III-F.1.9.

## 9. INTENSITY REGULATIONS

### A. Single-family dwellings in SRC shall be on lots having the following requirements:

|                            |                         |                         |                         |
|----------------------------|-------------------------|-------------------------|-------------------------|
| Minimum lot area*          | RS A: 33% of base zone  | RS B: 30% of base zone  | RS C: 30% of base zone  |
| Lot frontage*              | 60 % of base RS zone    |                         |                         |
| Minimum depth*             | 60 % of base RS zone    |                         |                         |
| Minimum setback, front*    | 60 % of base RS zone    |                         |                         |
| Minimum side-yard setback* | 60 % of base RS zone    |                         |                         |
| Minimum rear-yard setback* | 60 % of base RS zone    |                         |                         |
| Maximum building coverage* | RS A: 120% of base zone | RS B: 125% of base zone | RS C: 150% of base zone |
| Maximum building height*   | 2½ stories or 35 feet   |                         |                         |

\* Subject to waiver provisions of Section III-F.1.10(d)

### B. Town House structures in SRC shall be on Town House lots having the following requirements: (sf=square feet)

|                             |                                                |                       |                       |
|-----------------------------|------------------------------------------------|-----------------------|-----------------------|
| Minimum lot area*           | 2,500 sf per town house dwelling unit          |                       |                       |
| Minimum Frontage*           | RSA: 66% of base zone                          | RSB: 60% of base zone | RSC: 60% of base zone |
| Dwellings per structure     | No more than four (4) dwellings per town house |                       |                       |
| Minimum setback, all sides* | RSA zone: 15 feet                              | RSB zone: 20 feet     | RSC zone: 15 feet     |
| Maximum building coverage*  | RSA zone: 35%                                  | RSB zone: 30%         | RSC zone: 35%         |

Maximum building height\* 2½ stories or 35 feet

\* Subject to waiver provisions of Section III-F.1.10(d) # Excluding area for circulation and ingress/egress (hallways, stairs, etc.)

(Art. 28, Fall ATM, 10/19/21)

- i. Town Houses shall be built on separate Town House lot(s), with each such Town House lot consisting of at least 2,500 square feet of land times the number of dwelling units to be built on that lot. Access to the lot shall be built from a right of way having at least forty (40) feet of width.
- ii. Two (2) Single-Family Cottages (three (3) in RSB zones) may be substituted for each full-size Town House dwelling allowed on a Town House lot, as long as the meet the First Floor Area, Gross Floor Area and Building Height standards in Section III-F.1.9 (c).
- iii. Dwellings that would otherwise qualify as Town Houses on minimum-sized lots and meet the intensity regulations of Section III-F.1.9 (b) for Town Houses may instead be divided into zero-lot-line single family homes provided that each lot resulting from the division of the lot has at least fifty (50) feet of frontage and meets the minimum lot area requirements of Section III-F. 1.9 (a) for single-family homes, and the unattached sides of such units meet the side yard setbacks otherwise required under this Section.

C. Small single-family cottage structures in SRC shall be on lots having the following requirements: (sf=square feet)

|                                   |                                                                     |                     |                    |
|-----------------------------------|---------------------------------------------------------------------|---------------------|--------------------|
| Minimum frontage*                 | Per standards in III-F.1.9.a for single-family SRC lots in RS zones |                     |                    |
| Minimum lot depth*                | Per standards in III-F.1.9.a for single-family SRC lots in RS zones |                     |                    |
| Minimum setbacks*                 | Per standards in III-F.1.9.a for single-family SRC lots in RS zones |                     |                    |
| Minimum space between buildings*  | RS A zone: 10 feet                                                  | RS B zone: 10 feet  | RS C zone: 10 feet |
| Minimum cottage First Floor Area  | RS A zone: 500 sf                                                   | RS B zone: 500 sf   | RS C zone: 500 sf  |
| Maximum cottage Gross Floor Area# | RS A zone: 800 sf                                                   | RS B zone: 1,000 sf | RS C zone: 900 sf  |
| Maximum cottage building height*  | 2 stories or 25 feet                                                |                     |                    |

\* Subject to waiver provisions of Section III-F.1.10(d) # Excluding area for circulation and ingress/egress (hallways, stairs, etc.)

10. EXCEPTIONS TO THE OTHERWISE APPLICABLE INTENSITY REGULATIONS

- a) No building or parking shall be located within twenty-five (25) feet of the boundaries of the development parcel, notwithstanding the intensity regulations of underlying zoning districts as provided in Section IV-B.

- b) No construction shall take place within the one hundred (100) year flood elevation line except in conformity with the requirements of M.G.L. Chapter 131, Section 40, and procedures established by the Town for such areas pursuant to the National Flood Insurance Program (42 USC 4001-4128) and the regulations of the Secretary of Housing and Urban Development issued thereunder.
- c) Indoor and outdoor recreational facilities intended for use by SRC residents of more than one dwelling unit shall be located on a separate lot containing no dwelling units.
- d) The minimum dimensional requirements as delineated in Section III-F.1.9 may be reduced or increased up to a maximum of up to 10%, never to be exceeded on a cumulative basis, if in the opinion of the SPGA that a waiver would improve the layout of the overall plan and will not create conditions which are substantially more detrimental to the existing site and the neighborhood in which the site is located.

#### 11. COTTAGE DEVELOPMENT ALTERATION RESTRICTIONS

Structures containing cottage dwellings in a SRC shall be subject to an alteration restriction described in a deed, deed rider, restrictive covenant, or other document that shall be recorded at the Registry of Deeds or the Land Court. The alteration restriction shall prohibit any and all construction activity that:

- a) Expands any dwelling in an SRC so that less than seven (7) feet of horizontal distance exists between any and all dwellings in the SRC;
- b) Increases (cumulatively) the gross floor area of any structure containing one or more cottage dwellings in an SRC by more than 5% of the original floor area allowed in the SRC Special Permit Approval; except for special exceptions authorized by the SPGA and defined/specified in the SRC Special Permit Approval.

The alteration restriction shall run with the land in perpetuity and shall be enforceable by any or all of the owners of dwellings in an SRC.

#### 12. AFFORDABILITY

SRC with more than two (2) net new dwellings (in single-family houses, town houses or single-family cottages) shall comply with the affordability provisions of Section V-J Density Bonuses and Fee-In-Lieu contributions required by Sections V-J.4 and V-J.7 for SRC shall be calculated based on a number of affordable units derived from the final number of SRC dwellings calculated in Section III-F.1.7, inclusive of all adjustment factors for average dwelling size. Fees for small single-family cottage

units shall be 50% of the per-unit figure calculated under the standard outlined in Section V-J.7.

**Example #2:** An applicant proposes to develop an SRC of three and four bedroom single-family homes with (averaging 1,900 square feet in Gross Floor Area) on five-acres in an RSA zone. Under the Adjustment Factors of Section III-1.F.7 seventeen (17) homes can be built in total. In this case:

1. Under Section V-J.4, the SRC is required to make 15% of the dwellings affordable: 17 dwellings x 15% = 2.55 units, rounded to **3 (three) affordable units**.
2. Because the SRC is a Permitted Use in the RSA zone, the three (3) affordable units calculated in Line 1 yield bonus dwellings to the development under the provisions of Section V-J.4.b: 3 affordable units x 2 = **6 (six) bonus unregulated dwellings**.
3. The final size of the SRC development is the total of Lines 1 & 2: 17 dwellings + 6 bonus dwellings = **23 dwellings, three of which are considered affordable**.
4. Fee in Lieu payments required under Section V.J-4 are based on the three (3) affordable dwellings calculated in Line 1.

### 13. BUILDING DESIGN CRITERIA

All buildings and structures shall be designed, located and constructed to afford the following:

- a) Harmonious relationship of buildings and structures to each other and their environs with adequate light, air, circulation, privacy and separation.
  - i. Dwelling units not abutting or oriented towards a right-of-way shall have a front yard oriented towards the Communal space.
  - ii. No detached accessory buildings shall be allowed except as structures that serve multiple dwellings such as storage sheds, garages, utility structures, or common, non-commercial recreation facilities permitted in Section III.7.F.3.
  - iii. Cottage housing units shall have a covered porch over the primary entrance with a minimum dimension of six (6) feet on any side.
  - iv. Cottage housing units shall have the covered porches of the main entry oriented to the Communal space or the public street right of way as applicable.
  - v. All fences interior to the development shall be no more than forty-eight (48) inches in height and shall be made of natural materials, except along development perimeter.

- vi. Dwelling units shall be constructed in compliance with LEED Residential or Passive House in North America standards.

#### 14. PRESERVED OPEN SPACE

SRC developments create an environment where large tracts of contiguous land are preserved for publicly-accessible open space.

- a) Preserved Open Space must include at least twenty percent (20%) of the frontage on the roads servicing the SRC. A portion of the Preserved Open Space may be used as a Common surrounded by a one-way road, in which event all of the road abutting such Common will be counted as frontage for the purpose of fulfilling the foregoing requirement.
- b) At least fifty percent (50%) of the Preserved Open Space shall not be primary zone wetlands or land within the 100-year flood elevation either as shown on the Town-wide Drainage study maps or as delineated by a qualified wetland scientist.
- c) Open space used as Commons shall be designed for passive or active recreational use. Examples may include but are not limited to courtyards, orchards, landscaped picnic areas, or gardens. Common open space shall include amenities such as seating, landscaping, trails, gazebos, outdoor cooking facilities, covered shelters, or ornamental water features. Stormwater management facilities shall not be located in open space used for a Common area.
- d) If an SRC includes one or more Commons in Preserved Open Space, dwelling units in the SRC shall be located to face each other across the Common(s).
- e) All dwelling units shall have dedicated access ways to all Commons located in Preserved Open Space.
- f) Any land which is currently protected – such as through an existing conservation or agricultural restriction (CR or APR), enrollment in the Chapter 61 program (Chapter 61, Chapter 61A, Chapter 61B), designated as Article 97 lands, or through other deed restriction – may not be included in the Preserved Open Space.

- g) At least fifty percent (50%) of the dwelling units in an SRC shall abut or be within three hundred (300') feet of the Preserved Open Space and all dwelling units shall have access via a public way or easement to such Preserved Open Space.
- h) Preserved Open Space shall include trails for public access and to increase connectivity. The Special Permit authorizing the SRC shall further provide that the Preserved Open Space shall be:
  - 1. Placed under a conservation restriction pursuant to M.G.L. Chapter 184, as amended, held either by the Town of Natick or a non-profit entity, the principal purpose of which is the conservation of open space;

## 15. PARKING

SRC create environments where large tracts of contiguous land are preserved for publicly accessible open space.

- a) A minimum of two (2) parking spaces per single-family home or town home shall be provided, and a minimum of one and one half (1&1/2) parking spaces per single-family cottage shall be provided in SRC cluster developments. Parking spaces located within garages and driveways may count towards this requirement.
- b) Parking for individual dwelling units may be combined into an individual facility or into parking clusters in order to facilitate housing clusters that are oriented to common open space areas.
- c) Garages and carports shall not be located beyond building lines of dwelling units in which they are located, and may not occupy more than 50% of any façade in any dwelling unit in which they are located.
- d) Surface parking facilities shall contain no more than sixteen (16) parking spaces and shall comply with the screening requirements of Section V-D.15.

(Art. 11, Fall T.M. 10/20/20)

~~ END OF ARTICLE ~~

**ARTICLE 27**  
**Amend Zoning Bylaw: Inclusionary Housing**  
**(Planning Board)**

**ARTICLE LANGUAGE**

To see if the Town will vote to amend the Natick Zoning Bylaw, including, but not limited to amending Section V-J Inclusionary Affordable Housing Requirements; adding a new Section III.A.6.D Inclusionary Cluster Residential Development (ICRD); amending Section 200 Definitions; and further amending the Zoning Bylaw to clarify and separate Inclusionary Housing requirements and optional Inclusionary Cluster Residential Development; or otherwise, act thereon.

**PURPOSE OF THE ARTICLE**

To update the inclusionary housing bylaw, which was approved in Fall 2018, to separate the regulatory requirements from an optional incentive-based affordable development option. Having the regulatory and incentive parts combined has led to confusion for both the Town and developers.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                  | DATE VOTED:      | <b>April 11, 2023</b>   |

## MOTION (Requires a 2/3 Vote)

### MOTION – Replace Section V-J in its entirety

**Move to amend** the Natick Zoning Bylaw to delete *§ V-J Inclusionary Affordable Housing Requirements in its entirety and replace with a new § V-J Inclusionary Housing, to read as follows*

#### SECTION V-J INCLUSIONARY HOUSING

1. PURPOSE AND INTENT

The purpose of the Inclusionary Housing Bylaw is to serve as a mechanism for the creation and retention of housing that is affordable to eligible households. Section V-J, in concert with Natick's long range planning documents and the Natick Housing Production Plan intends

- a. To ensure that all residential development or redevelopment project with five or more new dwelling units contributes to the creation of affordable housing; and
- b. To ensure that such affordable housing is made available to all eligible households on a non-discriminatory basis in accordance with the Federal Fair Housing Act of 1968 and MGL, c. 151, as amended, and any regulations promulgated under federal and state law.

2. APPLICABILITY

- a. The provisions of Section V-J shall apply to any proposed development or redevelopment project that includes residential dwelling units, located on one or more contiguous parcels.
  - i) Any Residential Project, including those that are Phased or Segmented Housing Developments, that results in five (5) or more new dwelling units; or
  - ii) A Residential Mixed-use Development that results in five (5) or more new residential units; or
  - iii) Any Residential Project, Assisted Living Residence, or life care facility development that creates five (5) or more new assisted living units and accompanying services.
- b. Each affordable housing unit shall comply with state Department of Housing and Community Development (DHCD) Local Initiative Program (LIP) and LIP Guidelines for units not created under a MGL c 40B comprehensive permit.

3. MANDATORY PROVISION OF AFFORDABLE UNITS

- a. An applicable Residential Project shall contribute to the local stock of affordable units in accordance with the following requirements:
  - i. All projects are required to provide a minimum fifteen (15) percent of the total newly created units as affordable; except in the Downtown Mixed Use (DM) District, which shall require twenty (20) percent of the units to be affordable.
  - ii. Methods to satisfy the affordability component required for a Residential Project, subject to approval by the Planning Board:
    - a) constructed or rehabilitated on the locus of the Residential Project;
    - b) provide a fee-in-lieu for the construction of dwelling unit(s);
    - c) some combination of the above.
  - iii. Fulfilment of Inclusionary Housing Component  
Residential Projects, shall comply with Section V-J as follows:
    - a) Residential units created under Section III.A.6.A, III.A.6.B, III.E, III.EE, and III.I shall provide affordable units as outlined above in ii.a).

- b) Projects created under Section III.F and III.J may opt to use the methods outlined above in ii.a), b), or c).
- c) Projects that result in twenty (20) or more units shall provide a minimum of fifty (50) percent of the affordable units in accordance with ii a), and the remainder of the units can be satisfied through ii.a), b), or c).

iv. Required affordable units shall be rounded up to the nearest whole number.

4. PROVISIONS APPLICABLE TO AFFORDABLE DWELLING UNITS ON-SITE

a. Affordable units On-site

On-site affordable units shall be distributed proportionately within the development so as not to be in less desirable locations than Unregulated Dwelling Units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the Unregulated Dwelling Units.

b. Minimum design and construction standards for on-site affordable units

Affordable units constructed or rehabilitated under this bylaw shall comply with the Design and Construction Standards for LIP specified by the DHCD in the LIP Guidelines. Affordable dwelling units shall be integrated with the rest of the development, shall be proportionately distributed in terms of unit size/type and shall be comparable in exterior design, appearance, construction, and quality of materials with other units. Interior features of affordable units shall contain, at a minimum, complete living facilities including a stove, kitchen cabinets, plumbing fixtures, a refrigerator, a microwave oven, and access to laundry facilities. The interior finishes and features of affordable units may differ from those of Unregulated Dwelling Units, provided that such finishes and features are durable, of good quality and consistent with current standards for new housing. The Planning Board reserves the right to consult with the Building Commissioner to verify the durability and quality of interior finishes proposed by the applicant and to require changes to better achieve comparability of units. All affordable dwelling units shall have an equivalent level of accessibility as that of the Unregulated Dwelling Units.

c. Timing of construction or provision of affordable units on-site

Affordable dwelling units shall be provided coincident to the development of Unregulated Dwelling Units, but in no event shall the development of affordable units be delayed beyond the schedule noted below. Fraction of units shall be rounded up to the next whole number.

| <b>Unregulated Dwelling Units</b><br>(% Complete) | <b>Affordable Housing Unit</b><br>(% Required) |
|---------------------------------------------------|------------------------------------------------|
| <30%                                              | --                                             |
| 30% plus 1 unit                                   | 10%                                            |
| Up to 50%                                         | 30%                                            |
| Up to 75%                                         | 50%                                            |
| 75% plus 1 unit                                   | 70%                                            |
| Up to 90%                                         | 100%                                           |

5. CALCULATION OF FEES-IN-LIEU FOR AFFORDABLE DWELLING UNITS

- a. A fee in-lieu shall be calculated for the sales price of an affordable unit per the combined total of the prorated land cost and total cost of construction of the median unit in the project.

6. RESTRICTIONS

- a. Local Initiative Program (LIP)

All affordable dwelling units shall be subject to an affordable housing restriction and a regulatory agreement per LIP of Department of Housing and Community Development. The LIP will ensure that affordable units are affordable in perpetuity, and shall ensure that affordable units can be counted toward the Natick Subsidized Housing Inventory (SHI).

- b. Local Preference

Unless otherwise regulated by an applicable Federal or State agency under a financing or other subsidy program, at least fifty percent (50%) of the affordable units shall be initially offered for one hundred and eighty (180) days in the following priority, to:

- i. Persons who currently reside within the Town of Natick;
- ii. Persons who are employed by the Town of Natick;
- iii. Persons who are employed by businesses located within the Town of Natick.

- c. Marketing Plan for Affordable Units

Applicants under this bylaw shall submit a marketing plan or other method approved by the Town through its Housing Production Plan to the SPGA for its approval, which describes how the affordable units will be marketed to potential home buyers or tenants. This plan shall include a description of the lottery or other process to be used for selecting buyers or tenants.

- d. Condominiums

Condominium documentation shall provide the owners of the Affordable Units with full and equal rights to all services and privileges associated with condominium ownership.

- e. Legal Review

All legal documents, including but not limited to affordable housing deed riders, affordability restrictions, leases, condominium documents and/or homeowner's agreements shall be subject to peer legal review by the SPGA, to be paid in full by the Applicant.

- f. Building Permits

No occupancy permits shall be issued for any unit in the development until the Building Commissioner receives verification that the required deed riders and LIP has been approved by DHCD and the Town Administrator, or designee, and has been recorded with the Middlesex South Registry of Deeds, and that the affirmative fair housing market plan, has been approved by DHCD.

7. COMPLIANCE

The provisions of Section V-J shall be considered supplemental to existing Zoning Bylaw except for the provisions of Section III-A.6.C (Smart Growth Overlay (SGO)). Wherever a conflict exists between two sections, this Section V-J shall prevail.

8. SEVERABILITY

If any provision of Section V-J is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this bylaw shall not affect the validity of the remainder of the Natick Zoning Bylaw. (Art 32 Fall TM, 10/16/18)

## FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Amanda Loomis, Community and Economic Development Director, presented this article.

Ms. Loomis stated that in 2018, an inclusionary housing bylaw was created which included both regulatory and alternative options for affordable housing. However, the two options were merged which led to confusion in what was being allowed and required. As a result, several projects were reviewed that received significant density bonuses. To address this issue, the Planning Board has proposed separating the regulatory and incentive side and updating the bylaw, as it was meant to be updated every five years.

The focus is currently on the regulatory side, which includes a new purpose and intent that is consistent with case law, updated procedures, and increased applicability. Under the current bylaw, projects with only two units are required to include affordable units, which is extremely low. The proposed update increases the applicability to any project that results in five or more new dwelling units, which is more realistic and in line with other communities' standards. This would include cluster, loop, or other special permit projects such as historic preservation. The incentive side, which includes an add-on bonus for definitive subdivisions, will be addressed at a different Town Meeting.

The proposed bylaw applies not only to residential mixed-use developments but also to assisted living or life care developments that create five or more assisted living units. Wellesley, Brookline and Lexington are three of the communities that are currently implementing creating affordable units for Assisted Living residents.

There are also mandatory provisions. If you have to provide affordable units, the bylaw requires a minimum of 15% of market rate units to be affordable units, or 20% if in the downtown area. The options for compliance include creating the units on-site, providing a fee in lieu, or a combination of both. The creation of units off-site has been removed from the options due to concerns about the concentration of affordable units in one area of the town. The gift of land option was also taken off the table because the land may not always be suitable for construction, and building on it may lead to environmental issues.

The on-site affordable units need to look like the market rate units from the exterior. Similar finishes need to be provided inside, not as high end, but they do have to be nice.

Ms. Loomis stated that we have reviewed the numbers and determined that today it is more advantageous to pay a fee in lieu of creating a unit, as it is cheaper. We have changed it so the fee will be calculated based on the combined sales price of an affordable unit and the prorated cost of the land, as well as the total construction cost for a median unit in the project. The goal is to avoid the highest or lowest cost units and impose this fee for every unit of affordable housing that was supposed to be provided.

We want the applicants to use the local initiative program through the state. Those units get recorded and put onto our Subsidized Housing Inventory (SHI) to maintain our 10% level. As of today we are at 10.62%, and a new census will be coming out at the end of May.

### Questions from the Committee

A member asked why the change from two to five in terms of the coverage minimum. Ms. Loomis stated that each community is different, but two is extremely low. If you are updating a single family and creating a three family, you're now having to give one of those units or make a payment, to cover the affordable unit. And that might be prohibitive for a homeowner. Once you get into the five units, that's a larger scale project, because anything four and over is commercial.

The member then asked for any evidence that there has been like a reduction in these kinds of developments because of the number being a two. Ms. Loomis stated we haven't seen anything of that nature.

Another member asked if we envision that this will lead to more affordable housing units in Natick. Ms. Loomis that it's not just this bylaw, it's the two other articles that we are adding this year, Article 26, the open space residential, and Article 24, the center gateway. Those two are additional opportunities for the town to create more residential units. As we create more residential units, this would then increase the number of affordable units.

A member asked how the fee in lieu compared to other towns. Ms. Loomis stated that it's dependent on the scale of each project. There's a lot of communities that simply require developers to provide the affordable units on site with no alternative option. Natick is lucky to have an Affordable Housing Trust, that would be able to utilize the funds, hire project managers, etc. to create units. Some communities base the fee on a percentage of the market rate unit. Others base it on the cost of construction, minus the land and labor; other communities do it just on a set ratio. We do want to create the units, whether it be on site, which is actually preferable, or provide the fee in lieu.

## **SECTION V-J INCLUSIONARY AFFORDABLE HOUSING REQUIREMENTS**

### **V-J.1. Purpose and Intent**

The purpose of the Inclusionary Housing Bylaw is to serve as a mechanism for the creation and retention of housing that is affordable to eligible households. Section V-J, in concert with Natick's long range planning documents and the Natick Housing Production Plan intends

- c. To ensure that all residential development or redevelopment project with two or more new dwelling units contributes to the creation of affordable housing; and
- d. To ensure that such affordable housing is made available to all eligible households on a non-discriminatory basis in accordance with the Federal Fair Housing Act of 1968 and MGL, c. 151, as amended, and any regulations promulgated under federal and state law.

~~In addition to the purpose and intent set forth in Section 100 and Section 108 of the Natick Zoning Bylaw, the purpose of this bylaw is to encourage development of new housing that is affordable to eligible households. At minimum, affordable housing produced through this regulation should be in compliance with the requirements set forth in G.L. c. 40B sect. 20-23 and 760 CMR 56 or other affordable housing programs developed by federal, state, county and local governments so that the affordable dwelling units that result from this bylaw can be considered as Local Initiative Units, in compliance with the requirements for the same as specified by the Commonwealth's Department of Housing and Community Development (DHCD).~~

### **V-J.2. Applicability of Mandatory Provision of Affordable Units**

- b. The provisions of Section V-J shall apply to any proposed development or redevelopment project that includes residential dwelling units, located on one or more contiguous parcels.

~~A. Pursuant to G.L. Chapter 40A, sect. 9, the inclusionary affordable housing requirements of this section for the mandatory provision of affordable units shall apply to the following:~~

- ~~1i). Any Residential Project, including Phased or Segmented Housing Developments, that results in a net increase of two (2) five (5) or more new dwelling units; ~~whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or non-residential space; and~~~~
- ii) A Residential Mixed-use Development that results in five (5) or more new residential units; or

- ~~2. Any Residential Project involving subdivision of land for development of two (2) or more dwelling units under an IHSP; and~~

~~iii)3.~~ Any Residential Project, Assisted Living Residence, or life care facility development that creates five (2)~~includes two (2)~~ or more new assisted living units and accompanying services, ~~unless a determination has been made satisfactory to the SPGA that such living units do not affect the Town's Statutory Minima or the Town's Computation of Statutory Minima as defined and/or set forth in 760 CMR 56 as maintained by the Massachusetts Department of Housing and Community Development (DHCD).~~

b. Each affordable housing unit shall comply with state Department of Housing and Community Development (DHCD) Local Initiative Program (LIP) and LIP Guidelines for units not created under a MGL c 40B comprehensive permit.

### ~~V-J.3~~ Special Permit

~~The development of any Residential Project set forth in Section V-J.2 shall require the grant of an Inclusionary Housing Special Permit (IHSP) from the Planning Board as the Special Permit Granting Authority (SPGA). If the development of a Residential Project is allowed As of Right, the Applicant may elect to develop said Project under an IHSP according to the provisions of Section V-J.4.B. A Special Permit may be granted if the proposal meets the requirements of this bylaw and Section VI-DD.2.A.~~

~~Since it is the intent of this bylaw to prohibit the subdivision of land or phasing of development to avoid the requirements of this section, it shall be presumed that land held in common ownership at the time this bylaw is approved shall be included for the purposes of calculating the number of affordable units to be provided. It shall also be presumed that phased developments of land held in common ownership shall be considered in its totality rather than as separate projects. These presumptions are rebuttable only upon credible evidence to the contrary. Further, if the SPGA determines that an applicant has established surrogate or subsidiary entities to avoid the requirements of this Section, a special permit shall be denied.~~

### ~~V-J.4.3.~~ Mandatory Provision of Affordable Units

A. ~~As a condition of approval for a Special Permit, the Applicant~~ An applicable Residential Project shall contribute to the local stock of affordable units in accordance with the following requirements ~~and as illustrated in Table V-J.4:~~

~~1.i. At least~~All projects are required to provide a minimum fifteen (15) percent of the total newly created units as affordable; except in the Downtown Mixed Use (DM) District, which shall require twenty (20) percent of the units to be affordable. ~~in a Residential~~

~~Project on a division of land or multiple unit development subject to this bylaw, rounded up to the nearest whole number and exclusive of additional dwellings allowed under Section V-J.4.B, shall be established as affordable dwelling units in any one or combination of methods provided for below:~~

~~ii. Methods to satisfy the affordability component required for a Residential Project, subject to approval by the Planning Board:~~

~~a) constructed or rehabilitated on the locus of the Residential Project;~~

~~b) provide a fee-in-lieu for the construction of dwelling unit(s);~~

~~c) some combination of the above.~~

~~iii. Fulfilment of Inclusionary Housing Component~~

~~Residential Projects, shall comply with Section V-J as follows:~~

~~a) Residential units created under Section III.A.6.A, III.A.6.B, III.E, III.EE, and III.I shall provide affordable units as outlined above in ii.a).~~

~~b) Projects created under Section III.F and III.J may opt to use the methods outlined above in ii.a), b), or c).~~

~~c) Projects that result in twenty (20) or more units shall provide a minimum of fifty (50) percent of the affordable units in accordance with ii a), and the remainder of the units can be satisfied through ii.a), b), or c).~~

~~iv. Required affordable units shall be rounded up to the nearest whole number.~~

~~a) constructed or rehabilitated on the locus subject to the Inclusionary Housing Special Permit (IHSP) (see Section V-J.5) in Residential Projects with six (6) or more net new dwelling units; or~~

~~b) constructed or rehabilitated on a locus different than the one subject to the IHSP (see Section V-J.6) in Residential Projects with six (6) or more net new dwelling units; or~~

~~c) an equivalent fee-in-lieu of units may be made (see Section V-J.7); or~~

~~d) An applicant may offer, and the SPGA may accept, provision of buildable land in fee simple, on or off site, that the SPGA in its sole discretion determines is suitable for the construction of affordable dwelling units.~~

~~2. At least twenty (20) percent of the units in a Residential Project on a division of land or multiple unit development with thirty (30) or more units in the Downtown Mixed Use district subject to this bylaw, rounded up to the nearest whole number and exclusive of additional dwellings allowed under Section V-J.4.B, shall be established as affordable dwelling units in any one or combination of methods provided for above in V-J.4.A.1.~~

3. ~~As a condition of approval for an Inclusionary Housing Special Permit, the SPGA may specify to an Applicant the combination of requirements described in Section V-J.4.A.1 to be used to satisfy compliance with the mandatory provision of affordable units. The applicant may offer, and the SPGA may accept, any combination of the requirements described in Section V-J.4.A.1 (a) – (d) provided that in no event shall the total number of units or the value of land provided be less than the equivalent number or value of Affordable Dwelling Units required by this bylaw. Non-acceptance of an offer by the SPGA does not release the Applicant from compliance with all provisions of this bylaw. The value of any combination of the Section V-J.4.A.1 (a) – (d) requirements provided by an applicant shall always be equal to or greater than the Total Development Cost of affordable units required by this bylaw. The SPGA may require, prior to accepting land as satisfaction of the requirements of this bylaw, that the applicant submit an appraisal of the land in question, prepared by a Massachusetts-certified appraiser and dated within six (6) months of the application, as well as other data relevant to the determination of equivalent value. Affordable Dwelling Units produced on-site, off-site, or contributed through fees-in-lieu or buildable land may consist of a mix of housing types, except as provided for below:~~

a) ~~In Residential Projects, including Phased and Segmented Developments, comprising six (6) or more single-family dwellings, only Section V-J.4.A.1 requirements (c) and (d) may be offered by the applicant and accepted by the SPGA. For such single-family Residential Projects, the value of Section V-J.4.A.1 requirement (c) offered by the applicant shall equal 100% of the Total Development Cost of affordable units required by this bylaw, while the value of Section V-J.4.A.1 requirement (d) offered by the applicant shall equal 110% of the Total Development Cost of affordable units required by this bylaw.~~

b) ~~In Residential Projects, including Phased and Segmented Developments, which result in a net increase of two (2) to five (5) dwelling units, in lieu of the requirements of Section V-J.4.A.1 a), b) or d), the Applicant shall contribute funds to the Natick Affordable Housing Trust. Such funds shall be used to assist households to occupy Affordable Dwelling Units in Natick, including the construction, purchase, or rehabilitation of such units consistent with this section in lieu of the Applicant constructing and offering affordable units within the locus of the proposed development or at an off-site locus, consistent with Section V-J.4.A.1.~~

~~Table V-J.4 Mandatory Provision of Affordable Units, by Residential Project Type~~

| <del>Residential Project, type:</del>                                                                                                       | <del>Methods for fulfilling Mandatory Provision of Affordable Units, Section V-J.4.A.1</del>                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>Multi-family dwellings, or mix of single-, two-, or multi-family dwellings (Projects with 6 or more units)<br/>Section V-J.4.A.1</del> | <del>a) Provision of Affordable unit(s), on-site<br/>b) Provision of Affordable unit(s), off-site*<br/>c) Provision of fee-in-lieu of units payment<br/>d) Provision of buildable land</del> |

|                                                                                                  |                                                                                            |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
|                                                                                                  | <del>*at 110% of value of on-site unit</del>                                               |
| Single-family dwellings only<br>(Projects with 6 or more units)<br>Section V-J4.A.3 (a)          | <del>e) Provision of fee in lieu of units payment<br/>d) Provision of buildable land</del> |
| Single, <u>two</u> , or multi-family dwellings (Projects with 2-5 units)<br>Section V-J4.A.3 (b) | <del>e) Provision of fee in lieu of units payment</del>                                    |

~~4. As a condition for the granting of an Inclusionary Housing Special Permit (IHSP), all affordable dwelling units shall be subject to an affordable housing restriction and a regulatory agreement in a form acceptable to the SPGA. The regulatory agreement shall be consistent with any applicable guidelines issued by the Department of Housing and Community Development, shall ensure that affordable units are affordable in perpetuity, and shall ensure that affordable units can be counted toward the Natick Subsidized Housing Inventory. The regulatory agreement shall also address all applicable restrictions listed in Section V-J.9 of this bylaw. The Special Permit shall not take effect until the restriction, the regulatory agreement and the special permit are recorded at the Registry of Deeds and a copy provided to the SPGA and the Building Commissioner.~~

~~A. Density Bonus. For Residential Projects consisting entirely of single or two-family homes, or any other Residential Projects that are allowed As of Right in the zoning district underlying their location, that yield an increase of two (2) to five (5) net new dwelling units the SPGA may allow the addition of one (1) unregulated Dwelling Unit in return for fee in lieu payment as part of compliance with the IHSP process outlined in Section V-J.4.A.1. For Residential Projects consisting entirely of single or two-family homes, or that are allowed As of right in the zoning district underlying their location, that yield an increase of six (6) or more net new dwelling units the SPGA may allow the addition of two (2) additional Dwelling Units for each Affordable Dwelling Unit provided as part of compliance with the IHSP process outlined in Section V-J.4.A.1. In order to accommodate those additional unregulated units on site, the SPGA may modify minimum lot sizes and any other intensity or density regulations, except height, normally required in Section IV.B in the applicable zoning district, to a maximum cumulative increase of 35% or, calculated separately, a maximum cumulative decrease of 35%. These shall be calculated according to the provisions of Section V-E.3, to accommodate up to two (2) additional Unregulated Dwelling Unit(s) on a site for each one (1) Affordable Dwelling Unit in compliance with the Inclusionary Housing Special Permit process in Section V-J.4.A, provided that the Floor Area Ratio of all units in the subject Residential Project not exceed 250% of the Maximum Lot Coverage permitted in the applicable zoning district under Section IV.B. The SPGA may place conditions on the number of bedrooms and other characteristics of additional Unregulated~~

~~Dwelling Units permitted as part of compliance with the provisions outlined in Section V-J.4.A.~~

~~Example 1: An Applicant can build a Residential Project on a subdivision with five homes (As of Right) in an RSA zone. Under V-J.4.B, that Applicant could request an IHSP, under which they could build six homes (the original 5 unregulated units + 1 additional unregulated unit) and make a payment to the Natick Affordable Housing Trust as specified in Section V-J.7. The Floor Area Ratio (FAR) of each of these six units, as well as the units in total, could not exceed 0.625 (2.5 x Maximum Lot Coverage of 25% in the RSA zone).~~

~~Example 2: An Applicant can build a Residential Project on a subdivision with ten two-family homes with twenty dwellings (As of Right) in an RG zone. Under V-J.4.B, the Applicant could request an IHSP, which would require three (3) dwellings designated as Affordable Units, but would allow a total of twenty-six units (23 unregulated units + 3 affordable units) to be developed on the site. Alternatively, at the discretion of the SPGA, the Applicant makes some combination of off-site units, payment to the Natick Affordable Housing Trust, or a grant of buildable land, as specified in Sections V-J.6.A, V-J.7, and V-J.4.A.4, respectively in place of providing the three (3) affordable units on-site. The Floor Area Ratio (FAR) of each of these 26 units, as well as the units in total, could not exceed 0.625. (2.5 x Maximum Lot Coverage of 25% in the RSA zone).~~

V-J.54. Provisions Applicable to Affordable Dwelling Units On-Site and Off-Site

aA. ~~Siting of a~~ Affordable units On-site:

~~All On-site~~ affordable units ~~constructed or rehabilitated under this bylaw~~ shall be distributed proportionately within the development so as not to be in less desirable locations than ~~u~~Unregulated Dwelling ~~u~~Units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the ~~u~~Unregulated Dwelling ~~u~~Units.

bB. Minimum design and construction standards for affordable units-

~~All a~~ Affordable units constructed or rehabilitated under this bylaw shall comply with the Design and Construction Standards for ~~Local Initiative Units~~ LIP specified by the ~~Department of Housing and Community Development~~ DHCD in the LIP Guidelines. ~~for the Local Initiative Program.~~ Affordable dwelling units shall be integrated with the rest of the development, shall be proportionately distributed in terms of unit size/type and shall be comparable in exterior design, appearance, construction, and quality of materials with other units. Interior features of affordable units shall contain, at a minimum, complete living facilities including a stove, kitchen cabinets, plumbing fixtures, a refrigerator, a microwave oven, and access to laundry facilities. The interior finishes and features of affordable units may differ from those of ~~market-rate~~ Unregulated Dwelling units, provided that such finishes and features are durable, of good quality and consistent with current standards for new housing. The Planning Board reserves the right to consult with the Building Commissioner to verify the durability and quality of interior finishes proposed by the applicant and to require changes to better achieve comparability of units. All affordable dwelling units shall have an equivalent level of accessibility as that of the ~~market-rate~~ Unregulated Dwelling ~~u~~Units.

C. Timing of construction or provision of affordable units ~~or land on-site~~:

Affordable dwelling units shall be provided coincident to the development of ~~market-rate~~ Unregulated Dwelling ~~u~~Units, but in no event shall the development of affordable units be delayed beyond the schedule noted below. Fraction of units shall be rounded up to the next whole number.:

| Market-rate Unit<br>(% Complete) | Affordable Housing<br>Unit<br>(% Required) |
|----------------------------------|--------------------------------------------|
| <30%                             | -                                          |
| 30% plus 1 unit                  | 10%                                        |
| Up to 50%                        | 30%                                        |
| Up to 75%                        | 50%                                        |
| 75% plus 1 unit                  | 70%                                        |
| Up to 90%                        | 100%                                       |

Fractions of units shall not be counted.

| <u>Unregulated Dwelling Units</u><br><u>(% Complete)</u> | <u>Affordable Housing Unit</u><br><u>(% Required)</u> |
|----------------------------------------------------------|-------------------------------------------------------|
| <u>&lt;30%</u>                                           | <u>--</u>                                             |
| <u>30% plus 1 unit</u>                                   | <u>10%</u>                                            |
| <u>Up to 50%</u>                                         | <u>30%</u>                                            |
| <u>Up to 75%</u>                                         | <u>50%</u>                                            |
| <u>75% plus 1 unit</u>                                   | <u>70%</u>                                            |
| <u>Up to 90%</u>                                         | <u>100%</u>                                           |

~~D. Pricing of Affordable Units. The household size figure used to calculate the Initial Sales Price or Rent of an Affordable Unit shall equal the number of bedrooms in each Affordable Unit plus one (1).~~

~~E. Local Preference. Unless otherwise regulated by an applicable Federal or State agency under a financing or other subsidy program, at least fifty percent (50%) of the affordable units shall be initially offered for 180 days in the following priority, to:~~

- ~~1. Persons who currently reside within the Town of Natick;~~
- ~~2. Persons who are employed by the Town of Natick;~~
- ~~3. Persons who are employed by businesses located within the Town of Natick;~~

~~F. Marketing Plan for Affordable Units. Applicants under this bylaw shall submit a marketing plan or other method approved by the Town through its Housing Production Plan to the SPGA for its approval, which describes how the affordable units will be marketed to potential home buyers or tenants. This plan shall include a description of the lottery or other process to be used for selecting buyers or tenants.~~

~~G. Condominiums. Condominium documentation shall provide the owners of the Affordable Units with full and equal rights to all services and privileges associated with condominium ownership. Condominium fees shall be included in the calculation of Initial Sales Price in Section V-J.8.~~

~~H. Legal Review. All legal documents, including but not limited to: affordable housing deed riders, affordability restrictions, leases, condominium documents and/or homeowner's agreements shall be subject to peer legal review by the SPGA, to be paid in full by the Applicant.~~

~~V-J.6 Provision of Affordable Dwelling Units Off-Site:~~

- ~~A. An applicant subject to this bylaw may develop, construct or otherwise provide affordable units offsite, valued at one hundred and ten percent (110%) of those required by Section V-J.4 and meeting all quality criteria outlined in Section V-J.5.B. All requirements of this bylaw that apply to on-site provision of affordable units, shall apply to provision of off-site affordable units. In addition, the location, housing type and character of the off-site units to be provided must be approved by the SPGA as an integral element of the Inclusionary Housing Special Permit review and approval process.~~
- ~~B. If the applicant's proposal involves existing dwelling units, the special permit application must demonstrate to the SPGA's satisfaction that the following conditions have or will be met prior to the issuance of any building permits for the Residential Project.~~
- ~~1. Evidence that the applicant owns or will own the premises~~
  - ~~2. The dwelling unit(s) has/have no violations of the State Building Code or Article II of the State Sanitary Code~~
  - ~~3. The dwelling units(s) has/have no lead paint hazards~~
  - ~~4. The dwelling unit(s) is/are/will be vacant~~
  - ~~5. No Eligible Households will be displaced permanently~~
  - ~~6. No existing affordable dwelling units will be eliminated.~~
- ~~C. Approved off-site units shall also comply with the same project schedule, affordability provisions and marketing plan requirements that apply to the Residential Project units~~

~~V-J.75. Calculation of Fees-in-Lieu offor Affordable Dwelling Units~~

- ~~a. A fee in-lieu shall be calculated for the sales price of an affordable unit per the combined total of the prorated land cost and total cost of construction of the median unit in the project.~~

~~Calculation of fee in lieu of units. For the purposes of this bylaw the fee in lieu of the construction or provision of affordable units shall be determined as a per-unit cost for all units in the Residential Project, calculated as:  $0.125 \times \text{Initial Sales Price of an Affordable Dwelling Unit of identical size (in terms of average number of bedrooms)}$ , and shall be payable on the same schedule set forth in Section V-J.5.C and in full prior to issuance of a final occupancy permit. The SPGA shall annually review the acceptable value of the fee in lieu of units according to maximum income levels promulgated by the Commonwealth's Department of Housing and Community Development.~~

~~*Example 3: An Applicant proposes a Residential Project with four (4) two-bedroom single family homes under an Inclusionary Housing Special Permit. Under V-J.4.A.3 (b), the Applicant would be required to pay a fee to the Natick Affordable Housing Trust equal to  $(4 \text{ dwellings} \times 0.125 \times \text{Initial Sales Price for an Affordable two-bedroom Dwelling Unit})$  as specified in Section V-J.4.A.3 (b)*~~

~~The SPGA may reduce the applicable fee in lieu of unit(s) charge by up to fifty percent (50%) for each dwelling in a housing development with initial rents or sale prices that are affordable to households earning 81-120% of Median Income, calculated according to standards promulgated by the Department~~

of Housing and Community Development (DHCD), and in compliance with the household size provisions of Section V-J.5.D of this bylaw.

## 6. Restrictions

### a. Local Initiative Program (LIP)

All affordable dwelling units shall be subject to an affordable housing restriction and a regulatory agreement per LIP of Department of Housing and Community Development. The LIP will ensure that affordable units are affordable in perpetuity, and shall ensure that affordable units can be counted toward the Natick Subsidized Housing Inventory (SHI).

### ~~E.b.~~ Local Preference:

Unless otherwise regulated by an applicable Federal or State agency under a financing or other subsidy program, at least fifty percent (50%) of the affordable units shall be initially offered for ~~one hundred and eighty (180)~~ days in the following priority, to:

~~1i.~~ Persons who currently reside within the Town of Natick;

~~2ii.~~ Persons who are employed by the Town of Natick;

~~3iii.~~ ———Persons who are employed by businesses located within the Town of Natick.

### ~~F.c.~~ Marketing Plan for Affordable Units:

Applicants under this bylaw shall submit a marketing plan or other method approved by the Town through its Housing Production Plan to the SPGA for its approval, which describes how the affordable units will be marketed to potential home buyers or tenants. This plan shall include a description of the lottery or other process to be used for selecting buyers or tenants.

### ~~G.d.~~ Condominiums:

Condominium documentation shall provide the owners of the Affordable Units with full and equal rights to all services and privileges associated with condominium ownership. ~~Condominium fees shall be included in the calculation of Initial Sales Price in Section V-J.8.~~

### ~~H.e.~~ Legal Review:

All legal documents, including but not limited to: affordable housing deed riders, affordability restrictions, leases, condominium documents and/or homeowner's agreements shall be subject to peer legal review by the SPGA, to be paid in full by the Applicant.

### f. Building Permits

No occupancy permits shall be issued for any unit in the development until the Building Commissioner receives verification that the required deed riders and LIP has been approved by DHCD and the Town Administrator, or designee, and has been recorded with the Middlesex South Registry of Deeds, and that the affirmative fair housing market plan, has been approved by DHCD.

#### ~~V-J.8—Maximum Incomes and Selling Prices: Initial Sale~~

- ~~A. To ensure that only eligible households purchase affordable dwelling units, the purchaser of an affordable unit shall be required to submit copies of the last three years' federal and state income tax returns and certify, in writing and prior to transfer of title, to the developer of the housing units or his/her agent, and within thirty (30) days following transfer of title, to the local housing trust, community development corporation, housing authority or other agency as established by the Town, that his/her or their family's annual income level does not exceed the maximum level as established by the Department of Housing and Community Development (DHCD), and as may be revised from time to time.~~
- ~~B. The maximum housing cost for affordable units created under this bylaw is as established by the Department of Housing and Community Development (DHCD), as specified in the guidelines for the Local Initiative Program, or as revised by the Town.~~

#### ~~V-J.9—Preservation of Affordability; Restrictions on Resale~~

- ~~A. Each affordable unit created in accordance with this bylaw shall have limitations governing its resale through the use of a regulatory agreement (Section V-J.4.A.4). The purpose of these limitations is to preserve the long-term affordability of the unit and to ensure its continued availability for affordable income households. The resale controls shall be established through a restriction on the property recorded at the Registry of Deeds and shall be in force in perpetuity. The terms "Base Income Number," "Resale Price Multiplier," "Resale Fee," "Approved Capital Improvements," and "Maximum Resale Price" are as defined in the MassHousing 40B Affordability Monitoring Handbook.~~
- ~~1. Resale price. Sales beyond the initial sale to a qualified affordable income purchaser shall include the sum of~~
- ~~i) the Base Income Number (at the time of resale) multiplied by the Resale Price Multiplier, PLUS~~
  - ~~ii) the Resale Fee and any necessary marketing expenses (including the broker's fees) as may have been approved by the Monitoring Agent, PLUS~~
  - ~~iii) Approved Capital Improvements, if any, made with the consent of the Town and Department of Housing and Community Development (DHCD).~~
- ~~In no event shall the Maximum Resale Price be greater than the purchase price for which a credit-worthy Eligible Household could obtain mortgage financing (such purchase price as determined by the Monitoring Agent using the same methodology used by DHCD for its Local Initiative Program or similar comprehensive permit program). The Maximum Resale Price shall not be less than the purchase price paid for the Property by the owner unless the Owner agrees to accept a lower price.~~
- ~~2. Right of first refusal to purchase. The purchaser of an affordable housing unit developed as a result of this bylaw shall agree to execute a deed rider prepared by the Town of Natick, consistent with model riders prepared by the Department of Housing and Community~~

~~Development (DHCD), granting, among other things, the Town's right of first refusal to purchase the property in the event that a subsequent qualified purchaser cannot be located within 90 days of receiving notification.~~

- ~~3. The SPGA shall require, as a condition for an Inclusionary Housing Special Permit under this bylaw, that the applicant comply with the mandatory set-asides and accompanying restrictions on affordability, including the execution of the deed rider noted in Section V-J.9.A.2 above. The Building Commissioner shall not issue an occupancy permit for any affordable unit until the deed restriction has been recorded.~~

#### ~~V-J.10—Periodic Review of Inclusionary Housing Requirements~~

~~In conjunction with the five-year update of the Town's Housing Production Plan, the Natick Affordable Housing Trust shall evaluate the Inclusionary Affordable Housing Requirements. Such evaluation shall include a report provided to the Board of Selectmen and the Planning Board reviewing factors such as changes in demographic characteristics and residential development activity, housing trends measured in terms of, but not limited to, vacancy rates, production statistics, prices for dwelling units, and affordability, and the relationship between Inclusionary Housing projects and all housing in Natick. The Natick Affordable Housing Trust shall also prepare an annual report to the Planning Board on the Inclusionary Housing Program.~~

#### ~~V-J.117. Compliance Conflict with Other Bylaws~~

The provisions of ~~this s~~Section V-I shall be considered supplemental to existing zoning bylaws except for the provisions of Section III-A.6.C (Smart Growth Overlay (SGO)). Wherever a conflict exists between two sections, this Section V-I shall prevail. To the extent that a conflict exists between this section and others, the more restrictive bylaws or provisions therein shall apply.

#### ~~V-J.128. Severability:~~

If any provision of ~~this bylaw~~Section V-I is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. -The invalidity of any section or sections or parts of any section or sections of this bylaw shall not affect the validity of the remainder of the Natick Zoning Bylaw.

(Art 32 Fall TM, 10/16/18)

**ARTICLE 28**  
**Amend Zoning Bylaw: Highway Mixed-Use-I(HM-I)**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town will vote to amend the Natick Zoning Bylaw: Section III-B Highway Mixed- use (HM-I) District Use Regulations; Section IV.B Intensity Regulations by Zoning District amending the Line for In-II\*\* & HM-1, and further adding a new Line for HM-I; Section 324. by adding a new subsection for Intensity Regulations for Highway Mixed Use – I (HM-I); Section 325 by adding a new subsection for Open Space Requirements for Highway Mixed Use – I (HM-I) Zoning District; Section 326 by adding a new subsection for Dimensional Regulations for Highway Mixed Use – I (HM-I) Zoning District; and making non-substantive changes in the description of uses; or otherwise, act thereon.

**PURPOSE OF THE ARTICLE**

To amend existing zoning established in 1979 to allow for the creation of Small and Large Corporate Campus Parcels in the Highway Mixed-Use (HM-I) District. This will allow Large Corporate Campus Parcels to be developed as a single cohesive campus even if its lots are separated by a public way.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – MOTIONS A & B**

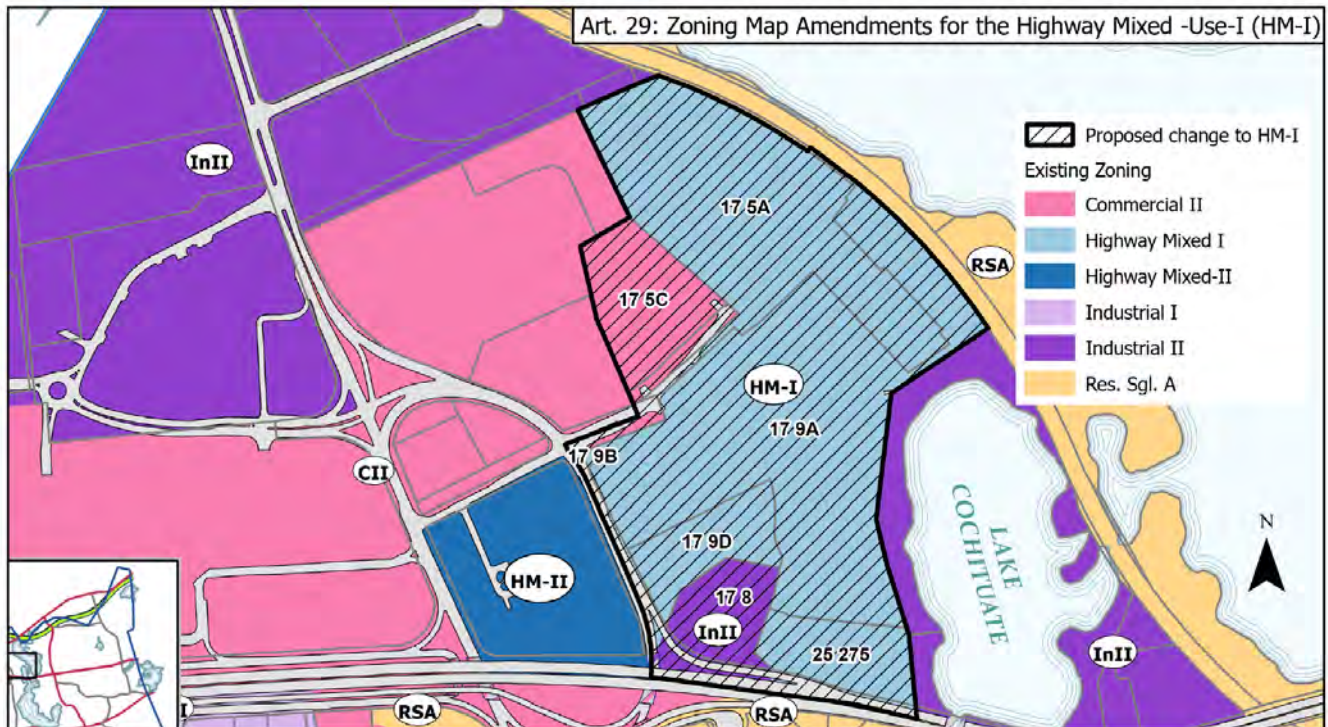
The Finance Committee met on March 23, 2023, and again on April 4, 2023, to discuss Article 28.

*Note: Articles 28 and 29 were discussed concurrently.*

Mr. Jamie Errickson, Town Administrator, and Ms. Amanda Loomis, Community and Economic Development Director, presented. Craig Lizotte from MathWorks was in attendance.

Mr. Errickson noted that the zoning district includes the MathWorks Lakeside campus and the FedEx property which is owned by a Real Estate Investment Trust. The area is primarily owned by the MathWorks who built the campus that opened three or four years ago, right before the pandemic. They are a great company to have in the community, they are expanding as well.

MathWorks recently purchased the office building across Prime Parkway/Superior Drive, an older office building from the 70s or 80s, behind the Hampton Inn. They're looking to do additional investment in the community at that location. There's no project currently proposed, but they know they need the zoning right to plan for the future. That parcel is zoned Commercial II, so it's in a different zoning district.



Article 28 is a modification to the HM I zone. MathWorks is on three parcels: 17 9A, 17 9D and 25 275. It's basically the light blue area, excluding parcel 17 5A, which is the FedEx property. 17 5C is the office building they recently purchased which is currently zoned RC (Regional Center) with the underlying zoning. 17 8 is part of MathWorks' parking lot, but it's in an industrial zone. This is the only location in town where the HM I zone is located so it's only going to impact this location. The intent here is to work with the HM I zone to provide and build in some flexibility to allow MathWorks to continue to invest in the community, continue to bring good paying jobs, continue to be a good corporate sponsor, and a good corporate partner for the town of Natick.

The proposal here includes a campus model, but there is a road (Prime Parkway/ Superior Drive) that comes in between the MathWorks parcel that they own and what they just bought. The road is a combination of town-owned right of way and easements. The idea here is to try to ensure that for MathWorks, and any future owner of this parcel, the roadway is not an impediment to doing the campus.

Ms. Loomis stated that we created two new definitions: a small campus and a large campus. A small campus is anything between 80,000 to 200,000 sq ft and a large campus is anything over 200,000 sq ft. The intensity regulations already have a minimum lot size for a HM I parcel at 80,000. But then when you go into Section III-B, it has a large campus at 200,000 sf. So it is already separated in the bylaws, we are just basically cleaning this up.

We really wanted to make sure that this had a clear purpose and intent. We are looking to create a campus feel so people can walk between buildings and not feel like they're in sea of asphalt. We did not change any of the allowed uses for the small or the large campuses, all we did was completely clarify that is it for a small or large, special permit or by right.

We did change some of the setbacks. The recently acquired parcel at 24 Superior Drive is zoned Commercial, even if it were to just be rezoned into the HM I, it would have a 50 foot setback. With the rear, the side, and the front setbacks, you would not be able to get a good-sized building. Superior Drive is a dead-end road that only accesses MathWorks, the Amvets and FedEx. We are not proposing to modify any of the accesses.

On the Worcester St side, because MathWorks did such a great job adding landscaping along Rt 9, they asked the Planning Board to have a 60 foot front setback (the property is located approximately 100 ft back). So the setbacks are decreased everywhere else except for along Worcester Rd.

We figured since these are bigger parcels, they should be able to increase their maximum building coverage. We kept the maximum height consistent with what is allowed for the small or industrial. Currently, there is no open space requirement for a small corporate campus parcel, but we wanted to make sure there was for a large corporate campus.

We did not want this to affect anywhere else within the town. If we were to amend the RC overlay district, we would be looking at not just MathWorks and FedEx, but also Sherwood Plaza, Cloverleaf, the Natick mall and those areas. So we made sure that intensity regulations, open space requirements and dimensional regulations pointed to HM I only.

Mr. Craig Lizotte of MathWorks stated that MathWorks has been in Natick, now for many, many years. With Apple Hill and Lakeside campuses, we have room for over 4500 staff members. Since the subsidence of the pandemic, we're back in the office. People love being on our campuses; they're really nice places to be. This summer, we were lucky enough to acquire the parcel at 24 Prime Parkway, and we don't know what we're going to do with it. But we know we wanted to own it. And once we acquired it, we started to think and to plan because that's what we do. We started to look at zoning, and that's where these ideas came from. This year, we're going to be celebrating our 40th anniversary, and hope to be in Natick for a long time.

#### Questions from the Committee

A member asked if part of the complexity is related to where the road (Superior Dr) is. Mr. Errickson answered yes. His hope is that we can use this as an opportunity to build some flexibility into zoning to fix what we can fix at the location.

A member asked if the abutters AMVETS and FedEx had commented on this. Mr. Errickson stated that FedEx is owned by a REIT and I can't speak to whether or not MathWorks has engaged with them about this zoning amendment. For any project that would be applied for under the zoning, they would have to be officially notified.

Mr. Jacobs asked if a project who have to go through review or be allowed as a matter of right. Mr. Errickson stated that this zone does require a special permanent site plan review in front of the Planning Board just as the current Lakeside campus required.

A member asked if a project would have to go through review or be allowed as a matter of right. Mr. Errickson stated that this zone does require a special permit site plan review in front of the Planning Board just as the current Lakeside campus required.

Mr. Andy Meyer, Planning Board member, spoke favorable about MathWorks and noted that as they have expanded the Lakeside campus, they have created a world class facility. They are coming forward with a very forward-looking plan that allows them the opportunity to stay here longer. And they have expressed a willingness and a desire to stay right here. They are, by far, one of our most important businesses residents here in Natick. Everything that they've proposed at this level seems planful, reasonable, subject to review. We were very favorable in our recommendation at the at the Planning Board level.

## FINANCE COMMITTEE RECOMMENDATION – MOTION A

|                                                              |                  |                         |
|--------------------------------------------------------------|------------------|-------------------------|
| MOTION A<br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                              | QUANTUM OF VOTE: | <b>11-0-1</b>           |
|                                                              | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION A (Requires a 2/3 Vote)

#### **MOTION A – Comprehensive Update to the Highway Mixed Use-I (HM-I)**

**Move that the Town vote to amend the Natick Zoning Bylaw by deleting § III-B, Highway Mixed Use-I (HM-I) Districts Use Regulations in its entirety, and replacing with a new § III-B Highway Mixed Use-I (HM-I) District**

*Move to add new § III-B Highway Mixed Use-I (HM-I) District to read as follows:*

#### **III-B HIGHWAY MIXED USE - (HM-I) DISTRICT**

1. Purpose and Intent

To support and encourage the expansion of businesses, the Highway Mixed Use – I (HM-I) Zoning District provides opportunity for development and infill opportunities within one of Natick’s economic hubs. The HM-I intends to promote redevelopment of underutilized sites that seek to strengthen and diversify the Town’s employment and tax base, as outlined in Natick’s long range planning documents.

2. Development Scale

- a. The HM-I divides development opportunities into small and large campuses. Campuses can either be a single parcel or multiple parcels that are in common ownership. Parcels within a campus may be separated by a public street, public utility easement, or Town accepted right of way.
  - i. Small Corporate Campus Parcels are eighty thousand (80,000) to two hundred thousand (200,000) square feet; or
  - ii. Large Corporate Campus Parcels are greater than two hundred thousand (200,000) square feet of land.

3. Use Regulations for the HM-I

- a. Small Corporate Campus Parcel By-right Uses: The following uses are permitted by site plan review:
  - i. Any use permitted as of right in Industrial-II (IN-II) Districts.
  - ii. Indoor Wireless Communications Facility (IWCF). (Art. 30, Fall ATM, 10/8/98)
- b. Small Corporate Campus Parcel Special Permit Uses: The following uses are permitted by special permit and site plan review:
  - i. Any use permitted with a Special Permit in Industrial-II (IN-II) Districts.
  - ii. Licensed Nursery Schools and/or Daycare Centers (Art. 16, 1987 ATM, 10/6/87)
  - iii. Wireless Communications Facility, including only a BMWCF, an AWCF, and co-locating a WCF on an existing free standing monopole or lattice tower. (Art. 30, Fall ATM, 10/8/98)

- c. Large Corporate Campus Parcel By-right Uses: The following uses are permitted by site plan review:
  - i. Business or professional office or agency; bank or other financial institution; administrative office; clerical office; statistical office; establishment for research and/or development; craft, consumer, professional or commercial service establishment dealing directly with the general public; business training center;
  - ii. (Reserve Space) (Art. 2, S.T.M. #1, 1/23/96);
  - iii. (Reserve Space) (Art. 2, S.T.M. #1, 1/23/96);
  - iv. The storage and parking of motor vehicles, with no provision for operations incidental to the servicing of such vehicles;
  - v. Printing or publishing establishment;
  - vi. Restaurant, tearoom, lunchroom or other eating establishment serving food and beverages on the premises, and/or serving food and beverages and providing live or mechanical entertainment, and/or servicing customers outside of the building and/or serving premises of a hotel with or without accompanying entertainment, including without limitation all restaurants, cocktail lounges, room service facilities, and meeting and function rooms on hotel premises; provided any portion of a structure dedicated to such use is located at least one hundred (100) feet from the nearest residentially zoned district;
  - vii. Library; museum;
  - viii. Hotel; motel.
- d. Large Corporate Campus Parcel Uses Allowed Under Special Permit: The following uses are allowed by special permit and site plan review:
  - i. Indoor and/or outdoor amusement or recreational uses, excluding outdoor movie theaters, provided that any portion of a structure dedicated to such uses is located at least one hundred (100) feet from the nearest residentially zoned district and that golf shall be by natural light only;
  - ii. Private landing area to be used solely for the landing, taking off and storage of helicopters.

#### 4. Intensity Regulations and Development Requirements

- a. Setback Modifications
  - i. Where parcels of land within a Small or Large Corporate Campus Parcel are separated by a road, easement, or way, the front yard setback can be decreased to twenty (20) feet where the setback area is landscaped within at least one (1) street tree per fifty (50) feet of frontage.
  - ii. A front setback of sixty (60) feet from Worcester Street (Route 9) shall not be decreased.
  - iii. The SPGA may by special permit decrease the side and rear setback to twenty (20) feet if it is determined that such separation promotes the intent of a campus design and the setback area is designed as open space.
- b. Review Standards and Procedures

The Planning Board may adopt, and from time to time revise and amend, design standards and guidelines that will be applicable to all projects within the HM-I district. Such standards and guidelines shall be consistent with and promote the Purpose and Intent of the HM-I district.
- c. Open Space Requirements

- i. A landscape buffer shall be a minimum of four (4) feet in width and shall be maintained at all side and rear yards that do not abut a parcel in common ownership.
- ii. A landscape buffer shall be a minimum of twenty five (25) feet in width and shall be maintained at all side and rear yards that abut residentially zoned districts.
- iii. A landscape buffer shall not be required where open space is wider than the width of the respective existing side, rear or front yard of the premises, so long as such yard conforms to the requirements of these By-Laws.
- iv. A landscaped buffer may be interrupted for pedestrian, vehicular, and utility installation and access.
- v. All landscaping shall be constructed and maintained as provided in § VI-B(x) of these By-Laws.
- vi. No additional buffers shall be required under this Section at property lines at which the requirements of these By-Laws for landscaping adjacent to rights-of-way are satisfied.

(Art. 1, S.T.M. March, 1979)

**Move to amend** the Natick Zoning Bylaw Section 324, Intensity Regulations to add a new sub-section deferring compliance for intensity regulations to the underlying Zoning District, HM-I that identify as a Corporate Campus Parcel.

324.6.8 FAR for Highway Mixed Use – I (HM-I) Zoning District

Parcels that identify as a lot or lots comprising a Small or Large Corporate Campus Parcel that are in the Highway Mixed Use – I (HM-I) Zoning District shall comply with the Building Coverage requirements set forth in § IV.B for the HM-I Zoning District, and not the FAR requirements set forth in the regulations of this Highway Overlay District.

**Move to amend** the Natick Zoning Bylaw Section 325, Open Space Requirement to add a new sub-section deferring compliance for open space requirements to the underlying Zoning District, HM-I for parcels that identify as a Corporate Campus Parcel.

325.6 Open Space Requirements for Highway Mixed Use – I (HM-I) Zoning District

Parcels that identify as a lot or lots comprising a Small or Large Corporate Campus Parcel that are in the Highway Mixed Use – I (HM-I) Zoning District shall comply with the Open Space Requirements outlined in § III-b.3, Highway Mixed Use – I (HM-I) Zoning District and § IV-B for the HM-I Zoning District, and not the LSR requirements set forth in the regulations of this Highway Overlay District.

**Move to amend** Section 326, Dimensional Regulations to add a new sub-section deferring compliance for density requirements to the underlying Zoning District, HM-I for parcels that identify as a Corporate Campus Parcel.

326.5 Dimensional Regulations for Highway Mixed Use – I (HM-I) Zoning District

Parcels that identify as a Small or Large Corporate Campus Parcel that are in the Highway Mixed Use – I (HM-I) Zoning District shall comply with the Intensity Regulations and Development Requirements set forth in § III-B.4, Highway Mixed Use – I (HM-I) Zoning District.

## FINANCE COMMITTEE RECOMMENDATION – MOTION B

|                                                                     |                  |                         |
|---------------------------------------------------------------------|------------------|-------------------------|
| <b>MOTION B</b><br>The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                     | QUANTUM OF VOTE: | <b>11-0-1</b>           |
|                                                                     | DATE VOTED:      | <b>April 4, 2023</b>    |

### MOTION B (Requires a 2/3 Vote)

#### MOTION B – Amend Definitions; and Dimensional and Density Regulations

**Move that the Town vote to amend Section 200 (Definitions), Section IV-B (Intensity Regulations by Zoning District), and Section V-H (Signs and Advertising Devices) of the Natick Zoning Bylaws, as follows:**

**Move to amend** Section 200 – Definitions by inserting immediately after the definition for Building-Mounted Wireless Communications Facility (BMWCF):

**Corporate Campus Parcel, Small:** A single parcel or multiple parcels in common ownership or agreement that is eighty thousand (80,000) to two hundred thousand (200,000) sf of land located within the Highway Mixed-use – I (HM-I) Zoning District.

**Corporate Campus Parcel, Large:** A single parcel or multiple parcels in common ownership or agreement that is more than two hundred thousand (200,000) sf of land located within the Highway Mixed-use – I (HM-I) Zoning District.

**Move to amend** the Natick Zoning Bylaw § IV-B Intensity Regulations by Zoning District to insert immediately below the row for IN-II\*\* & HM-I one new row: one for HM-I (Large Corporate Campus Parcel); and further amend row IN-II\*\* & HM-I, as follows:

| District Designation                                        | Area           | Cont. Frontage | Depth      | Front               | Side                    | Rear                    | Maximum % Building coverage (including Accessory Building) | Maximum Height of Building (c)*            | Open Space Requirement per lot |
|-------------------------------------------------------------|----------------|----------------|------------|---------------------|-------------------------|-------------------------|------------------------------------------------------------|--------------------------------------------|--------------------------------|
| IN-II** & HM-I (Small Corporate Campus Parcel) <del>1</del> | 80,000         | 200(e)         | 200        | 85 (b)              | <del>100</del> (b) (cc) | <del>100</del> (b) (cc) | 50 (ee)                                                    | 80 <del>ft. HM-1</del> <del>No limit</del> | None                           |
| HM-I (Large Corporate Campus Parcel)                        | <u>200,000</u> | <u>200</u>     | <u>200</u> | <u>30</u> (cc) (dd) | <u>60</u> (cc) (dd)     | <u>60</u> (cc) (dd)     | <u>75</u> (ee)                                             | <u>80</u>                                  | <u>15%</u> (ee)                |

**Move to amend** the Natick Zoning Bylaw § IV-B Footnotes to Intensity Regulations to amend Footnote b. after “otherwise for Commercial (CI) may be 0 ft. side yard; insert phrase

Highway Mixed Use-I (HM-I) shall be not less than forty (40) feet for side and rear yards; and for Industrial (IN-II) shall be 1 ½ times the height of building, but not less than forty (40) feet (Art. 45 A.T.M 1962) and (Art. 1 S.T.M. 3/20/79).

After the and for Industrial (IN-II) delete the phrase

and Highway Mixed Use – (HM-I)

And to insert sentence at the end of the paragraph to read

In the HM-I District, the SPGA may by Special Permit modify the front, side, and rear setback requirements if the SPGA determines that a project qualifies for modified side or rear setback pursuant to Section III-B-3.c.vi.

So that it now reads

- b. Applies only to premises abutting a residential district (RG, etc.), otherwise for Commercial (CI) may be zero (0) feet side yard; Highway Mixed Use-I (HM-I) shall be not less than forty (40) feet for side and rear yards; In the HM-I District, the SPGA may by Special Permit modify the front, side, and rear setback requirements if the SPGA determines that a project qualifies for modified side or rear setback pursuant to § III-B.4.

**Move to amend** the Natick Zoning Bylaw § IV-B Footnotes to Intensity Regulations to amend Footnote by adding three new footnotes after Footnote BB. To read

- cc. See §III.B.4 of the Natick Zoning By-Law.
- dd. Minimum front, side and rear yards exclude staircases, ramps and other facilities required by law for the safe use of the structure.
- ee. Across the lots or lots constituting a Small or Large Corporate Campus Parcel.

~~ END OF ARTICLE ~~

**ARTICLE 29**  
**Amend Zoning Map: Highway Mixed-Use – I(HM-I)**  
**(Town Administrator)**

**ARTICLE LANGUAGE**

To see if the Town will vote to amend the Natick Zoning Map by expanding the HM-I Zoning District to incorporate parcels 17-00000008 and 17-0000005C, in addition from the property frontage of 17-0000009A, 17-0000009B, 17-0000005C, 17-0000005A to the centerlines of the fronting streets or ways, as shown on the map; and making non-substantive changes in the description of uses or otherwise, act thereon.

**PURPOSE OF THE ARTICLE**

To rezone parcels of land owned by MathWorks to allow for consistent zoning throughout the Lakeside Campus and to rezone the roadways from the parcel line to the center of the street to follow zoning best practices. This will allow for future development of campuses within the Golden Triangle.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                         |
|--------------------------------------------------|------------------|-------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                  | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                  | DATE VOTED:      | <b>April 4, 2023</b>    |

## **MOTION (Requires a 2/3 Vote)**

### **MOTION – Add Land to the Highway Mixed Use-I (HM-I) District**

**Move that the Town vote to amend the Town of Natick Zoning Map, in accordance with Section III-B (Location of Districts: Zones) of the Natick Zoning Bylaws as follows:**

**by changing the zoning of the following parcels from Industrial-II (I-II) to Highway Mixed Use-I (HM-I)**

17-00000008 from Industrial-II (I-II) to Highway Mixed-I (HM-I), with HM-I zoning extending south of the property to the center line of Route 9, including the Speen Street on-ramp

**And by changing the zoning for the following parcel from Commercial-II (C-II) to Highway Mixed Use-I (HM-I)**

17-0000005C

**And to amend** the Natick Zoning Map so that the respective frontage of 17-0000009A, 17-0000009B (13 Superior Drive), 17-0000005C, and 17-0000005A of each parcel frontage to the centerline of the roadway as Highway Mixed-I (HM-I)

As shown on the plan on file with the Community and Economic Development Office.

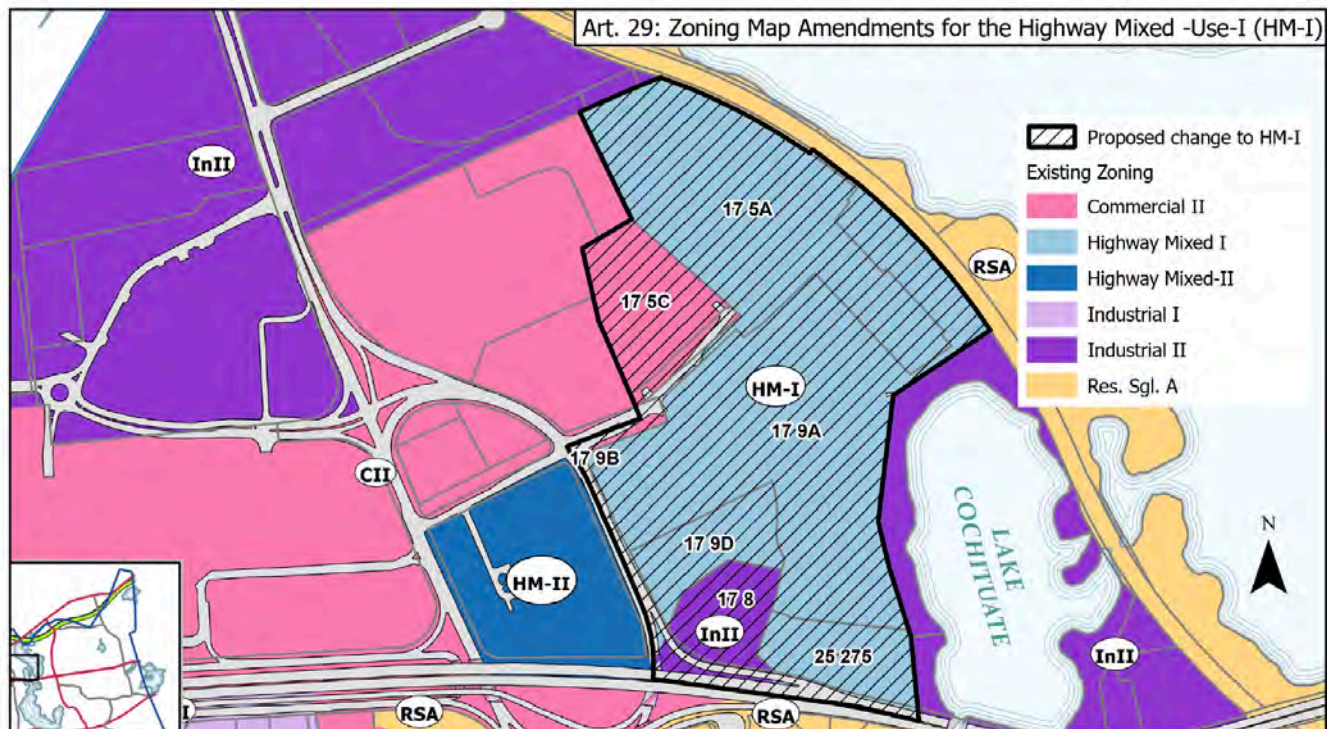
## **FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

The Finance Committee met on March 23, 2023, and again on April 4, 2023, to discuss Article 29.

*Note: Articles 28 and 29 were discussed concurrently. Please see Article 28 for a summary of the discussion.*

Article 29 adjusts the Town of Natick Zoning Map to change the zoning of two parcels on the MathWorks campus, one currently zoned Industrial-II and the other zoned Commercial-II, to Highway Mixed Use-I (HM-I) to match the rest of the campus.

Another adjustment to the Zoning Map is to the frontage of several parcels to extend the HM-1 zoning to the centerline of the roadway.



*Note: This is not the official Natick Zoning Map.*

~~ END OF ARTICLE ~~

**ARTICLE 30**  
**Expansion of Assisted Living Overlay Option Plan (ALoop)**  
**(George L. Richards, et al.)**

**ARTICLE LANGUAGE**

To see if the Town will vote to amend the Zoning Map to expand the ALoop Overlay District to 0 (R) East Central Street (38-0000001B and 38-0000001C) and 0 Dorset Lane (38-0000001AA); further to amend the Zoning Bylaw, Section III-I to include above listed properties in the ALoop Overlay District, and by further amending applicable sections of the Zoning Bylaw to update such inclusion where necessary; or otherwise, act thereon.

**PURPOSE OF THE ARTICLE**

To amend the Zoning Map and Bylaws to extend the Assisted Living Overlay Option Plan (ALoop) Overlay District to 0 East Central Street and 0 Dorset Lane.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                            |
|--------------------------------------------------|------------------|----------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Referral to Sponsor</b> |
|                                                  | QUANTUM OF VOTE: | <b>9-0-0</b>               |
|                                                  | DATE VOTED:      | <b>April 6, 2023</b>       |

**MOTION** (Requires a Majority Vote)

Move to refer the subject matter of Article 30 to the Sponsor.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

Attorney George Richards, speaking on behalf of the sponsors, said that the sponsors are requesting that Article 30 be referred back to the sponsor. He noted that after several meetings with neighbors and town officials, we've gone back to the drawing board and are going to reassess the project going forward.

~~ **END OF ARTICLE** ~~

**ARTICLE 31**  
**Re-Zoning of 24 N Main St., 26 N Main St., 30 N Main St.**  
**(Kenneth B. Phillips, et al.)**

**ARTICLE LANGUAGE**

To see what action(s) the Town will take to re-zone the properties location at 24 N Main St., Parcel ID: 43-00000468; 26 N Main St. and 30 N Main St., Parcel ID: 35-00000039, from Residential General (RG) to Downtown Mixed Use (DM), or Commercial II(CII), or Center Gateway (CG), or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To re-zone the properties at 24 N Main St, 26 N Main St and 30 N Main St from Residential General (RG) to Center Gateway (CG) to develop gateway into the Downtown Mixed Use District. This would give the properties the ability to engage in mixed-uses such as small retail tenancies and offices.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                      |
|--------------------------------------------------|------------------|----------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>No Action</b>     |
|                                                  | QUANTUM OF VOTE: | <b>9-0-0</b>         |
|                                                  | DATE VOTED:      | <b>April 6, 2023</b> |

**MOTION** (Requires a Majority Vote)

Move No Action on the subject matter of Article 31.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

Mr. Jamie Errickson, Town Administrator, stated that submitting a warrant article is a separate process from filing a zoning amendment with the Select Board. Once a zoning amendment is filed, the Select Board refers the matter to the Planning Board. The Planning Board then schedules a public hearing and subsequently provides a report and recommendation to Town Meeting.

In this case, what was submitted was the article, not the zoning so no Planning Board hearing has been scheduled. A Planning Board hearing is a prerequisite to any Town Meeting action. Town Counsel stated: "In my opinion, the FinCom should move no action on this article; and Town Meeting cannot take any action on this article without the prerequisite of the Planning Board hearing."

~~ **END OF ARTICLE** ~~

**ARTICLE 32**  
**New Town Seal**  
**(Town Seal Review Committee)**

**ARTICLE LANGUAGE**

To see what action the Town will take to hear and discuss the report of the Town Seal Review Committee, to approve a new Town Seal, to procure new embossers, to discharge the committee, or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To hear and discuss the final report prepared by the Town Seal Review Committee, to vote on the proposed new town seal, and to discharge the committee.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION – ALL MOTIONS**

The Finance Committee met on April 4, 2023 and April 11, 2023 to discuss Article 32.

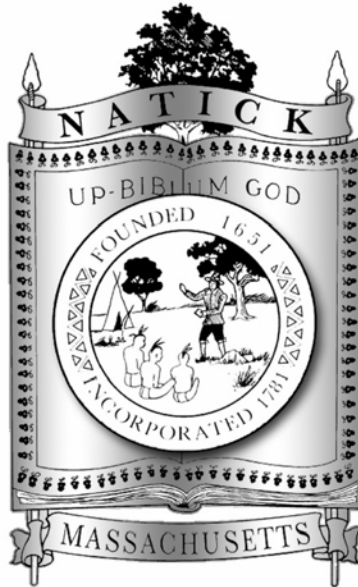
Members of the Town Seal Review Committee presented: Mia Kheyfetz, Chair, and Josh Ostroff, Clerk.

Ms. Kheyfetz presented on the work of the Town Seal Review Committee. She explained that the charge of the committee was to work solely on the embosser used to certify documents by the Town. She then provided background on the process that started at the 2020 Fall Annual Town Meeting and took place over the past two and a half years. She highlighted community outreach and methods for procuring feedback. She briefly reviewed the process of selecting a designer, refining the designs, gathering feedback and finalizing the design. After reading a statement by the designer, Sebastian Ebarb, Ms. Kheyfetz highlighted portions of the committee's draft statement - stressing the need to better understand Natick's history, including diverse Indigenous culture through active, meaningful and sustained effort.

Ms. Kheyfetz explained that - if adopted - the new town seal would be used by the Town Clerk with two new embossers to certify all new official documents. Town Administration will decide where else the seal imagery may be used. Any implementations beyond the embossers is beyond the scope of the Town Seal Review Committee. However, Ms. Kheyfetz did provide an overview of possible implementation of the seal imagery around Town. Mr. Ostroff highlighted that some implementations could be free (digital assets) and some costs could rise to \$700,000 to replace visible locations (Town Hall, DPW building and Cole center emblems, street signs, etc.) over several years.

Mr. Ostroff explained that money for the embossers was already in the Town Clerk's budget, so he recommended that the Finance Committee vote no action on Motion C. He also noted that the committee voted unanimously that it be disbanded with the passage of Motion D.

### Current Seal



### Proposed Seal Design



### Questions from the Committee

A member asked why the current town seal is considered offensive. Ms. Kheyfetz explained the history of the seal and many of the inaccuracies of the current image, including the image of a teepee, and how it does not reflect current understanding of the history of Natick's settling. It also depicts an inaccurate power dynamic between a standing White missionary preacher and Indigenous people sitting on the ground. This inaccurate depiction is similar to town seals in other communities like Newton and not unique to Natick. Mr. Ostroff added that this depiction erases the rich culture and history of Indigenous peoples at that time.

The member followed up by asking if the Natick Praying Indian community weighed in on the new seal. Ms. Kheyfetz and Mr. Ostroff explained that they were contacted in the Fall of 2020, but they have not weighed in since. Ms. Kheyfetz said that they had spoken to many other Indigenous people since Fall 2020, but she did not want to speak for all of them at this time, as they gave a variety of opinions.

A member asked if members of the Natick Praying Indians were in favor of erasing images of their ancestors. Ms. Kheyfetz clarified that the committee could not give a monolithic opinion about this issue as individuals have different opinions.

A member asked about the accuracy of the clothing in the seal. Mr. Ostroff confirmed that it was inaccurate. The member followed up by asking who created the image for the seal in 1951. Both Mr. Ostroff and Ms. Kheyfetz could not remember the artist's name. The member followed up by asking what historical sources were consulted for creating the image. Mr. Ostroff explained that the image is similar to other images of preachers from the mid 19th century. He speculated that it might have been based on these images.

A member asked how the new seal honors Indigenous people and if the \$700,00 cost to implement the seal townwide could grow over time. Mr. Jamie Errickson, Town Administrator, explained that the \$700,000 is conservative and at the upper end of costs and that, in reality, it could be anywhere between zero and that number. It depends on how things are phased out over time. The cost is not expected to balloon beyond that \$700,000. Mr. Ostroff explained that, in talking to Indigenous people, the committee heard a strong aversion to the appropriation of Indigenous culture. The committee did hear a range of opinions - with some concerned about erasure and some not wanting anything referring to Natick Nipmuc depicted. For more background, Mr. Ostroff explained that the committee sought out a design that less evoked Natick's industrial and modern era and focused on "bridging" the past and present.

A member asked what percentage of Natick responded to the survey that decided the final seal image. Ms. Kheyfetz cited 200 respondents who voted for the image, but many efforts were expended to broaden participation. Mr. Ostroff concurred that this was the case.

**FINANCE COMMITTEE RECOMMENDATION – MOTION A**

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION A<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>10-1-1</b>           |
|                                                                 | DATE VOTED:      | <b>April 4, 2023</b>    |

**MOTION A** (Requires a Majority Vote)

Move to hear and discuss the report of the Town Seal Review Committee.

## FINANCE COMMITTEE RECOMMENDATION – MOTION B

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION B<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>8-4-0</b>            |
|                                                                 | DATE VOTED:      | <b>April 4, 2023</b>    |

### **MOTION B** (Requires a Majority Vote)

Move that pursuant to MGL c. 40 §47, to approve a Town Seal design, as set forth in the document titled Natick Town Seal Review Committee - Proposed Town Seal Design and dated March 30, 2023, which seal will become effective as the seal of the Town of Natick on September 1, 2023.

Natick Town Seal Review Committee  
Proposed Town Seal Design  
March 30, 2023



### **FINANCE COMMITTEE RECOMMENDATION – MOTION C**

|                                                                 |                  |                       |
|-----------------------------------------------------------------|------------------|-----------------------|
| MOTION C<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>No Action</b>      |
|                                                                 | QUANTUM OF VOTE: | <b>12-0-0</b>         |
|                                                                 | DATE VOTED:      | <b>April 11, 2023</b> |

#### **MOTION C** (Requires a Majority Vote)

Move No Action on the subject matter of Article 32 Motion C.

### **FINANCE COMMITTEE RECOMMENDATION – MOTION D**

|                                                                 |                  |                         |
|-----------------------------------------------------------------|------------------|-------------------------|
| MOTION D<br>The Finance Committee took the<br>following action: | RECOMMENDATION:  | <b>Favorable Action</b> |
|                                                                 | QUANTUM OF VOTE: | <b>12-0-0</b>           |
|                                                                 | DATE VOTED:      | <b>April 11, 2023</b>   |

#### **MOTION D** (Requires a Majority Vote)

Move to discharge the Town Seal Review Committee.

~~ **END OF ARTICLE** ~~

**ARTICLE 33**  
**Charles River Dam Advisory Committee Report**  
**(Saul Beaumont, et al.)**

**ARTICLE LANGUAGE**

To hear and to discuss the final report of the Charles River Dam Advisory Committee, or otherwise act thereon.

**PURPOSE OF THE ARTICLE**

To share and discuss with the Town Meeting Members some of the content of the Charles River Dam Advisory Committee report on which the Select Board indicated that they based their decision to remove the dam spillway.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                                                                         |
|--------------------------------------------------|------------------|-------------------------------------------------------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>No Recommendation</b>                                                |
|                                                  | QUANTUM OF VOTE: | <b>Indefinite Postponement: 7-5-0</b><br><b>Favorable Action: 2-9-1</b> |
|                                                  | DATE VOTED:      | <b>March 21, 2023</b>                                                   |

**MOTION**

None

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

Mr. Saul Beaumont spoke as the sponsor of the Article. Mr. Beaumont noted that the purpose of this Article is to ask Town Meeting to hear and discuss the report of the Charles River Dam Advisory Committee. Mr. Beaumont briefly noted that on November 9, 2022 the Select Board had voted 4-1 to accept the recommendation of that committee to remove the dam and create a new park.

Mr. Beaumont argued that there has been insufficient public evaluation of the report outside of a few questions at Select Board meetings. He noted that over 2200 people signed a petition online opposing removal of the dam and that some from this group had asked the Select Board to vote to place a non-binding advisory question on the ballot about the fate of the dam. The Select Board unanimously rejected that request expressing concern about the complexity of the issue for a ballot question. Mr. Beaumont suggested that this could be an opportunity for Town Meeting members who represent the public to learn about the issue, understand the report, and decide for themselves whether the dam should be preserved.

### Questions from the Committee

The Chair of the Finance Committee noted that Town Counsel had sent a letter (attached below) opining that Town Meeting does not have the authority to hear reports from committees that were not created by Town Meeting itself (in this case, the committee was created by the Town Administrator). Given this, the Chair asked whether the sponsor's intention is to require the committee to make a report to Town Meeting or just to discuss the report.

Mr. Beaumont responded that his intent is just to discuss the report and that the committee is not required to present it at all.

A member asked whether this discussion is moot since it is up to the Select Board and not Town Meeting to decide what to do with the dam.

Mr. Beaumont answered that he doesn't agree that it is moot because the Select Board indicated after their November vote on this issue that if conditions change, they might change their mind.

Another member asked whether the meetings of the Select Board and the Charles River Dam Advisory Committee where this issue was discussed were open to the public.

Mr. Beaumont said that they were but that he felt these forums did not allow adequate opportunities for public discussion given limitations on the number and format of questions at those meetings.

Another member asked what Mr. Beaumont's goal was with this Article.

Mr. Beaumont answered that he hoped to convince Town Meeting to recommend that the Select Board change their decision and repair the dam.

Another member asked whether any new information might be presented during the discussion to rebut the findings in the report.

Mr. Beaumont said that was possible as they are getting new information "daily."

Another member asked what was different between this and Article 29 from the fall, which the member noted was voted indefinite postponement by a wide margin in the Finance Committee and at Town Meeting.

Mr. Beaumont said that the full report was unable to be discussed at Town Meeting during the debate on Article 29 because it was ruled out of scope of the article, whereas this Article would allow for that full debate to take place.

### Public Comments

Several members of the public expressed their support for the Article and for repairing the dam.

### Debate from the Committee

*Two motions were made: one for indefinite postponement and one for favorable action.*

A member explained that he supported indefinite postponement because this would be a waste of time at Town Meeting since the decision is ultimately up to the Select Board anyway.

Another member indicated he supported indefinite postponement because he felt this Article was duplicative with Article 34—any discussion about alleged flaws in the report could be taken up in the context of the debate on Article 34.

Another member said she supported favorable action because she felt that what the sponsors were asking for—a public forum to debate the report—was their right and that this is the correct way to get it in front of Town Meeting for that purpose.

Another member explained that he was sympathetic to the sponsors of the Article so couldn't support indefinite postponement but would also be voting no on favorable action because Town Meeting is not the appropriate forum for this discussion. He expressed his hope that the Select Board hold professionally moderated meetings on this topic where more people can feel heard who oppose the decision to remove the dam.

*The motion to recommend indefinite postponement failed by a vote of 7-5-0. The motion to recommend favorable action failed by a vote of 2-9-1 (8 votes is required). Therefore, the Finance Committee has no recommendation on Article 33.*

### **ORIGINAL SPONSOR MOTION (Requires a Majority Vote)**

Move to discuss the final report of the Charles River Dam Advisory Committee.

**Karis L. North**  
***knorth@mhtl.com***

March 21, 2023

**VIA EMAIL ONLY**

Linda Wollschlager, Chair Finance Committee  
Natick Town Hall  
13 E. Central Street  
Natick, MA 01789

**RE: Natick 2023 Spring Annual Town Meeting – Warrant Articles 33, 34 and 35 – Charles River Dam**

Dear Ms. Wollschlager:

Upon your request, I have reviewed the Motions for Articles 33, 34 and 35 for the 2023 Spring Annual Town Meeting. I address each Article separately, below. In answering these questions, I have relied upon the Natick Home Rule Charter (“Charter”), the Natick Town Bylaws (“Bylaws”) the Massachusetts General Laws (“General Laws”), pertinent land records, and other legal sources.

**Article 33: Charles River Dam Advisory Committee Report**

Move to discuss the final report of the Charles River Dam Advisory Committee.

The Charles River Advisory Committee was established in March 2021, in order to engage in consultation and deliberation to help inform decisions the Select Board would ultimately be required to make, to address the current deficiencies of the Dam. This process is consistent with the authority granted the Select Board under the General Laws, and the authority granted the Town Administrator under the Charter.

While Town Meeting has the authority to hear reports from committees created by Town Meeting, where the committee was not created by Town Meeting, but by another body or individual (here, the Town Administrator), there is no authority for Town Meeting to require that committee to report to Town Meeting.

**Article 34: Charles River Dam:**

Move to see what action the Town will take to request the Select Board to initiate repairs of the Natick Charles River Dam to the extent of the funding appropriated in the 2018 SATM, Article 14 Motion B, and in the 2019 SATM, Article 15, Motion B for that purpose or otherwise act thereon.

Linda Wollschlager  
March 21, 2023  
Page 2

Consistent with my September 21, 2022 opinion to you and the Finance Committee concerning the Charles River Dam and Town Meeting funding, determinations about the dam and its status, including expenditure of funds to effectuate a specific purpose, is under the purview of the Select Board.

This Motion is simply the Article 29 from 2022 Fall Annual Town Meeting, restated, and my position remains the same. Although Town Meeting is within its powers to appropriate monies for a specific purpose, the Motion is likely to be ineffective, unless the Select Board chooses to act on it, because the question of what to do with the Dam implicates policy questions which are within the purview of the Select Board, and concerns the use of town property, which is under the control of the Select Board.

The authority of Town Meeting to appropriate funds to take a specific action concerning land does not constitute a “command” which the Select Board is bound to follow, but is simply an “authorization” which allows the Select Board to act in a certain way. Twomey v. Middleborough, 468 Mass. 260, 269–70 (2014).

Generally speaking, “[a] municipality can exercise no direction or control over one whose duties have been defined by the Legislature.” Breault v. Auburn, 303 Mass. 424, 428 (1939), quoting Daddario v. Pittsfield, 301 Mass. 552, 558 (1938). More specifically, a town meeting cannot exercise authority over a board of selectmen when the board is acting in furtherance of a statutory duty. See Anderson v. Selectmen of Wrentham, 406 Mass. 508, 512 (1990) (board of selectmen not bound by town meeting vote to set rate of contribution for group insurance provided to town’s employees under G.L. c. 32B, § 7A); Russell v. Canton, 361 Mass. 727, 730–731 (1972) (where Legislature delegated to board of selectmen right to take land by eminent domain, town meeting could authorize but not command such taking).

Id. Thus, Town Meeting may direct the Select Board to repair the Dam, with funds as provided by Town Meeting, but the ultimate decision as to the future of the Dam lies with the statutory powers of the Select Board over real property, and also over policy decisions for the Town, as set forth in the Charter. A successful Town Meeting vote on this Article authorizes, but does not compel repair. Town Meeting also lacks the authority to direct the Department of Public Works to repair the Dam, absent direction to do so from the Select Board.

### **Article 35: Dam Preservation Committee**

To approve the warrant article as written, which establishes a Natick Dam Preservation Committee (DPC) consisting of seven members appointed by the Board of Selectmen who have expertise in the fields of engineering, environmental science, historic preservation, finance, and public policy. A majority of the members shall not be current town employees or officials, and no member of the DPC will have served on

Linda Wollschlager  
March 21, 2023  
Page 3

the previous committee that recommended dam removal. Two additional members will be chosen by Natick members of [savenatickdam.org](http://savenatickdam.org) who have worked with [savenatickdam.org](http://savenatickdam.org) to ensure their interests are also represented in this process.

The DPC will commission an independent engineering firm to evaluate the GZA and Stantec reports and the structural integrity of the dam, with a focus on value engineering the previous design and minimizing tree removal. The engineering firm will not have been involved in the previous design to provide a fresh look at the previous engineering work. The evaluation will identify necessary repairs and upgrades to meet safety and environmental standards, and explore alternative uses for the existing canal, including the possibility of a fish passage, as well as other ideas that make sense for the preservation and repair of the dam.

The DPC will present their findings and recommendations at a public hearing, and submit a report with recommendations to the Board of Selectmen and the Finance Committee within 12 months. The report will include a prioritization of the necessary repairs and upgrades and their estimated costs.

The committee will spent up to \$150,000 for the independent engineering evaluation and any associated costs related to the DPC's work, to be drawn from the previously approved funds for dam repair. This appropriation will not be used for the purpose of dam removal.

The Town Clerk is hereby directed to transmit a copy of this vote to the State Secretary's Office and to each member of the Natick delegation to the General Court.

We move that the Town vote to approve this Article as written.

Town Meeting may create a committee, and may, subject to a two-thirds (2/3) vote, designate a body or individual other than the Moderator as the Appointing Authority. Bylaws, article 3, section 10.

Consistent with my legal opinion provided on September 21, 2022, and my opinion above, regardless of the recommendation of the Committee, any decisions about the fate of the Charles River Dam are solely decisions of the Select Board. Under the Charter, the Select Board is the chief executive officer of the Town, and holds all of the executive powers it is possible for a Select Board to have and to exercise. The Select Board is also a policy-making board.

Under the General Laws, chapter 40, section 3, all town property (real or personal) which has not been placed into the care of any particular town board, officer, or department, by law or vote, is under the control of the Select Board. Any direction by a committee to the Select Board concerning real property is, at best, advisory and does not compel the Select Board to take any particular action.

Linda Wollschlager  
March 21, 2023  
Page 4

I hope this opinion is useful. Please contact me with any questions or concerns.

Sincerely,

/s/ KLN  
Karis L. North

cc: Jamie Errickson, Town Administrator

~~ END OF ARTICLE ~~

**ARTICLE 34**  
**Charles River Dam**  
**(Saul Beaumont, et al.)**

**ARTICLE LANGUAGE**

To see what action the Town will take to request the Select Board to initiate repairs of the Natick Charles River Dam to the extent of the funding appropriated in the 2018 SATM, Article 14 Motion B, and in the 2019 SATM, Article 15, Motion B for that purpose.

**PURPOSE OF THE ARTICLE**

To allow the Town Meeting Members to express their opinion about repairing the dam. The objective is to get the agreement of Town Meeting to request the Select Board to rescind their decision to remove the dam and to start repair of the dam.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                                |
|--------------------------------------------------|------------------|--------------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Indefinite Postponement</b> |
|                                                  | QUANTUM OF VOTE: | <b>10-2-0</b>                  |
|                                                  | DATE VOTED:      | <b>March 21, 2023</b>          |

**MOTION** (Requires a Majority Vote)

Move Indefinite Postponement on the subject matter of Article 34.

**FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION**

Mr. Saul Beaumont spoke on behalf of the sponsors of the Article. He argued that the dam and waterfall are unique historical, aesthetic, and recreation assets of the town that should be preserved. He then quoted from remarks made by a Select Board member who voted against removal of the dam.

Questions from the Committee

A member asked whether, if this Article fails, if Mr. Beaumont and others supporting repairing the dam would be back with another similar article in the fall.

Mr. Beaumont said he can't answer that.

Another member asked whether the previously appropriated funds for the purpose of repairing the dam are in an account waiting to be spent.

Claire Rundelli, Community and Economic Development Planner, clarified that there is just under \$2 million “on the books” for dam repair. The 2018 appropriation is money that is currently sitting available for funding while the 2019 appropriation is a borrowing authorization that would need to be levied against the taxpayers. In total, the figure was \$1,875,000 but about \$250,000 has already been spent leaving about \$1.6 million dollars still available.

#### Comments from the Public

One member of the public spoke against this Article, arguing that it was wasting Town Meeting’s time on something it cannot act on. Two other members of the public spoke in favor.

#### Debate from the Committee

*Two motions were made: a motion to refer the subject matter of Article 34 to the Select Board and a motion for indefinite postponement.*

A member argued that indefinite postponement was the right course and that an emphatic no was needed here. He argued that the Select Board is the appropriate forum for this. He said the Select Board already has this on its radar so referral is not needed but rather it needs to be put to bed once and for all.

Another member agreed with indefinite postponement and said short of the proponents coming up with millions of dollars to permanently maintain the dam, it was unlikely he would change his position. Instead, he urged the sponsors of the Article to aim their advocacy at the Select Board.

Another member argued that the idea that opponents of removal haven’t been heard is a myth and that there have been numerous public hearings where dissenting voices have been heard, including one dissenter on the Select Board itself that the sponsor mentioned. That said, the member indicated he supported referral because it serves an important function to signal to the public that the Select Board is the appropriate place to bring this issue, not Town Meeting, whereas indefinite postponement doesn’t do that.

*The motion to referral motion failed by a vote of 7-5-0. The indefinite postponement motion passed by a vote of 10-2-0.*

**ORIGINAL SPONSOR MOTION (Requires a Majority Vote)**

Move to see what action the Town will take to request the Select Board to initiate repairs of the Natick Charles River Dam to the extent of the funding appropriated in the 2018 SATM, Article 14 Motion B, and in the 2019 SATM, Article 15, Motion B for that purpose or otherwise act thereon.

**~~ END OF ARTICLE ~~**

**ARTICLE 35**  
**Dam Preservation Committee**  
**(Michael Trinidad, et al.)**

**ARTICLE LANGUAGE**

To see what action the Town will take to request the Select Board to initiate repairs of the Natick Charles River Dam to the extent of the funding appropriated in the 2018 SATM, Article 14 Motion B, and in the 2019 SATM, Article 15, Motion B for that purpose.

To see if the Town will vote:

We, the undersigned registered voters of the Town of Natick, respectfully request the establishment of a Dam Preservation Committee (DPC) to investigate and evaluate the feasibility of preserving and repairing the South Natick Dam. The purpose of this committee is to explore and develop a comprehensive plan for the preservation and repair of the dam, with the goal of maintaining its historical, cultural, environmental, and recreational value for future generations.

While we acknowledge that the Board of Selectmen voted in favor of dam removal, we believe there are many unknowns regarding the feasibility and consequences of this action. Moreover, the community needs a viable “Option B” should dam removal prove to be impractical, expensive, or ineffective. The DPC will provide the community with a comprehensive assessment of the costs, benefits, and risks of the various options and a recommended plan for the preservation and repair of the dam.

The DPC will consist of seven members with diverse expertise in the fields of engineering, environmental science, historic preservation, finance, and public policy. To ensure a balanced representation, the majority of the members will not be current town employees or officials, and no member of the DPC will have served on the previous committee that recommended dam removal. In addition, two members will be chosen by Natick residents who have worked with [savenatickdam.org](http://savenatickdam.org) to ensure the interests of the community are adequately represented. The Board of Selectmen will appoint the remaining five members, taking into account the recommendations of the [savenatickdam.org](http://savenatickdam.org) representatives and the diverse expertise required for the committee.

The duties of the DPC will include but not be limited to:

Commissioning an independent engineering firm to evaluate the structural integrity of the dam, with a focus on value engineering the previous design and minimizing the cost and disruption of existing trees. The engineering firm will not have been involved in the previous design to provide a fresh look at the previous engineering work. The evaluation will identify necessary repairs and upgrades to meet safety and environmental standards while taking into consideration the preservation of the surrounding natural environment.

Commissioning a survey to gather feedback from the broader Natick community, including the Nipmuc, Praying, and other native Indian groups, regarding the historical, cultural, environmental, and recreational value of the dam.

Commissioning an independent analysis to compare and contrast the findings and recommendations of the GZA and Stantec reports.

Exploring alternative uses for the existing canal, including the possibility of a fish passage, as well as other ideas that make sense for the preservation and repair of the dam.

Developing a comprehensive plan for the preservation and repair of the dam, including the identification of funding sources, cost estimates, and timelines.

The DPC will complete its work within 12 months of its formation and will submit its final report and recommendations to the Board of Selectmen and the community at large. The DPC will be authorized to spend up to \$150,000 of the previously appropriated funds for dam repair to hire professionals to refine and value engineer the dam repair costs, provide expert testimony, and conduct the studies and surveys necessary to fulfill its duties.

We respectfully request that this warrant be included in the warrant for the next Annual Town Meeting, and we urge our fellow citizens to support this important initiative for the preservation and enhancement of Natick’s cultural, historical, and environmental heritage.

Or otherwise, act thereon.

**PURPOSE OF THE ARTICLE**

To establish a Dam Preservation Committee (DPC) to investigate and evaluate the feasibility of preserving and repairing the South Natick Dam. The purpose of this committee is to explore and develop a comprehensive plan for the preservation and repair of the dam, with the goal of maintaining its historical, cultural, environmental, and recreational value for future generations.

**FINANCE COMMITTEE RECOMMENDATION**

|                                                  |                  |                                |
|--------------------------------------------------|------------------|--------------------------------|
| The Finance Committee took the following action: | RECOMMENDATION:  | <b>Indefinite Postponement</b> |
|                                                  | QUANTUM OF VOTE: | <b>10-2-0</b>                  |
|                                                  | DATE VOTED:      | <b>March 21, 2023</b>          |

**MOTION** (Requires a Majority Vote)

Move Indefinite Postponement on the subject matter of Article 34.

## FINANCE COMMITTEE PUBLIC HEARING AND DISCUSSION

Mr. Michael Trinidad spoke on behalf of the sponsors of the Article. He said that the purpose of the Article was to make a compromise on the dam issue. He indicated that his background is in engineering and that he went to many meetings on this topic and came away with the impression that there were many unanswered questions that required more study which prompted him to sponsor this Article. He argued that the committee this Article will create will take a “fresh look” at the issue, including by retaining an independent engineering firm to look at the previous engineering reports.

### Questions from the Committee

A member asked whether the sponsor was aware that the former Board of Selectmen is now called the Select Board given the repeated mentions of it in the motion.

Mr. Trinidad said he was not aware of that.

The same member asked whether the sponsor’s engineering background was as a civil engineer.

Mr. Trinidad said he was not a civil engineer but rather is a mechanical engineer.

Another member asked where the money that the motion asks for would be appropriated from.

Mr. Trinidad answered that the money would come from the \$1.6 million that has already been appropriated to repair the dam.

Claire Rundelli, Community and Economic Development Planner, clarified that the funding for the third party that ran the original dam advisory committee did come from those funds which were for design and repair of the dam. Since that committee process was informing the design, it was appropriate to use the funding for that. Ms. Rundelli declined to speak on whether the funds could be used for this committee.

The Chair of the Finance Committee indicated that the 2018 appropriation for this purpose was to be expended under the direction of the Department of Public Works. She said that given Town Counsel’s opinion about funding regarding Article 34 (*note: see Article 33 for Town Counsel’s letter*), she believes this means the money could not be expended for this committee without authorization from the Select Board.

Another member asked the sponsor to elaborate on the idea that fewer trees may need to be removed to repair the dam than originally estimated.

Mr. Trinidad said that he thought there were many possibilities, but he wanted an engineer retained by this new committee to take a look at that.

Another member asked whether other boards and committees have been made aware of this article, especially the Select Board.

Mr. Trinidad said that he had shared it with the Director of Public Works but had not heard back from anybody.

Rich Sydney, a Select Board Member, said that the Select Board has not done any reviews of the Article and that they only know about it because they signed the warrant but that's it as far as he is aware.

Another member asked whether this is a “redo” of the Charles River Dam Advisory Committee.

Mr. Trinidad said it was not supposed to be but that the value is taking what was done already and looking at it differently from a new perspective to build on what's already been done.

Another member asked why the motion excludes people from serving on the committee who served on the Charles River Dam Advisory Committee.

Mr. Trinidad said it was a compromise in the interest of getting a fresh look at this. He said they really want people with the mindset of repairing and saving the dam in the group.

The same member pointed out that many of the people who served on the first committee have professional responsibilities related to that area, to the river, etc. and asked if there was any mechanism for replacing that expertise since they would be excluded.

Mr. Trinidad said that the Select Board would get to appoint five of the seven members and pointed out that although a majority should not be current town employees, that doesn't mean they are excluded entirely.

The same member asked Mr. Trinidad if he knew who he was excluding with that provision—that is, who was on the Charles River Dam Advisory Committee.

Mr. Trinidad answered that he did not have a list of those people.

#### Comments from the Public

Two members of the public spoke to the Article, one in favor of it and one opposed.

#### Debate from the Committee

*Two motions were made: a motion to recommend indefinite postponement and a motion to refer the subject matter of Article 35 to the sponsor.*

A member indicated that he supports indefinite postponement because the funding for it is completely wrong, the membership is wrong, and that essentially this is asking us to create a committee to relook at something we've already looked at but only from one particular perspective—against removal of the dam.

Another member argued that referral is a better option because while there are flaws with the Article, we need to encourage participation by inviting the sponsors to fix the issues with the Article and try again.

Another member indicated that he would be supporting both motions because he wanted to encourage the participation of the people who support the article but that it would be really hard to come back with something he supported that didn't look like it was just trying to get to a pre-determined outcome.

Another member argued that referral would be inappropriate because the Select Board should not have to look at this again after the extensive public process they already went through on this issue.

*The motion for referral failed by a vote of 4-8-0. The motion for indefinite postponement passed by a vote of 10-2-0.*

### **ORIGINAL SPONSOR MOTION**

(Requires 2/3 vote)

To approve the warrant article as written, which establishes a Natick Dam Preservation Committee (DPC) consisting of seven members appointed by the Board of Selectmen who have expertise in the fields of engineering, environmental science, historic preservation, finance, and public policy. A majority of the members shall not be current town employees or officials, and no member of the DPC will have served on the previous committee that recommended dam removal. Two additional members will be chosen by Natick members of [savenatickdam.org](http://savenatickdam.org) who have worked with [savenatickdam.org](http://savenatickdam.org) to ensure their interests are also represented in this process.

The DPC will commission an independent engineering firm to evaluate the GZA and Stantec reports and the structural integrity of the dam, with a focus on value engineering the previous design and minimizing tree removal. The engineering firm will not have been involved in the previous design to provide a fresh look at the previous engineering work. The evaluation will identify necessary repairs and upgrades to meet safety and environmental standards, and explore alternative uses for the existing canal, including the possibility of a fish passage, as well as other ideas that make sense for the preservation and repair of the dam.

The DPC will present their findings and recommendations at a public hearing, and submit a report with recommendations to the Board of Selectmen and the Finance Committee within 12 months. The report will include a prioritization of the necessary repairs and upgrades and their estimated costs.

The committee will spent up to \$150,000 for the independent engineering evaluation and any associated costs related to the DPC's work, to be drawn from the previously approved funds for dam repair. This appropriation will not be used for the purpose of dam removal.

The Town Clerk is hereby directed to transmit a copy of this vote to the State Secretary's Office and to each member of the Natick delegation to the General Court.

We move that the Town vote to approve this Article as written.

~~ END OF ARTICLE ~~

# APPENDIX

**WARRANT  
SPRING ANNUAL TOWN MEETING  
APRIL 25, 2023**

THE COMMONWEALTH OF THE MASSACHUSETTS

Middlesex, ss

To Any Constable of the Town of Natick in said County:  
Greeting:

In the name of the Commonwealth of Massachusetts you are required to notify the qualified Town Meeting Members of the said Town of Natick to meet on **Tuesday Evening April 25, 2023, at 7:30 PM**, Natick High School, Natick, MA, then and there to act on the following Articles:

- |            |                                                                                 |
|------------|---------------------------------------------------------------------------------|
| Article 1  | Authorize Select Board to Acquire, Obtain, Abandon or Relocate Easements        |
| Article 2  | Committee Article                                                               |
| Article 3  | Elected Officials Salary                                                        |
| Article 4  | Personnel Board Classification and Pay Plan                                     |
| Article 5  | Collective Bargaining                                                           |
| Article 6  | Home Rule Petition: Natick Superior Officers – Exemption from Civil Service     |
| Article 7  | Omnibus Budget Articles                                                         |
| Article 8  | Unpaid Bills                                                                    |
| Article 9  | Transfer of Unexpended Bond Proceeds                                            |
| Article 10 | Rescind Authorized, Unissued Debt                                               |
| Article 11 | Revolving Funds                                                                 |
| Article 12 | Stabilization Funds and OPEB                                                    |
| Article 13 | Capital Stabilization Account                                                   |
| Article 14 | PEG Access and Cable Related Fund                                               |
| Article 15 | Capital Equipment and Improvement                                               |
| Article 16 | Adjust Asset Limit for Personal Exemption Clause 17D by Annual COLA             |
| Article 17 | Adjust Income and Asset Limits for Personal Exemption Clause 41C by Annual COLA |
| Article 18 | Increase Personal Exemptions                                                    |
| Article 19 | Home Rule Petition to Amend Chapter 336 of the Acts of 2004                     |
| Article 20 | Amend the Town of Natick By-Laws: Create New Committee                          |
| Article 21 | Charter and ByLaw Review Committee Report and Counsel                           |
| Article 22 | Disposition of 0 Shore Terrace and 4 Pine Ridge Road                            |
| Article 23 | Amend the Town of Natick By-Law 79A                                             |
| Article 24 | Amend Zoning Bylaw: Establish Center Gateway Zoning District                    |
| Article 25 | Amend Zoning Bylaw: Use Regulations Schedule                                    |
| Article 26 | Amend Zoning Bylaw: Open Space Cluster Development                              |
| Article 27 | Amend Zoning Bylaw: Inclusionary Housing                                        |

|            |                                                            |
|------------|------------------------------------------------------------|
| Article 28 | Amend Zoning Bylaw: Highway Mixed-Use – I (HM-I)           |
| Article 29 | Zoning Map Amendments for the Highway Mixed-Use – I (HM-I) |
| Article 30 | Expansion of Assisted Living Overlay Option Plan (ALoop)   |
| Article 31 | Re-zoning of 24 N Main St., 26 N Main St., 30 N. Main St.  |
| Article 32 | New Town Seal                                              |
| Article 33 | Charles River Dam Advisory Committee Report                |
| Article 34 | Charles River Dam                                          |
| Article 35 | Dam Preservation Committee                                 |

**Article 1**  
**Authorize Select Board to Acquire, Obtain, Abandon or Relocate Easements**  
**(Town Administrator)**

To see if the Town will vote to authorize the Select Board, during Fiscal Year 2024, to acquire on behalf of the Town any and all easements for any of the following purposes: roads, sidewalks, vehicular and/or pedestrian access or passage, drainage and utilities, provided however that such authorization pertains only to easements acquired at no cost to the Town; and, further, to authorize the Select Board, subsequent to a public hearing, during Fiscal Year 2024 to abandon or relocate easements acquired for any of the foregoing purposes; or otherwise act thereon.

**Article 2**  
**Committee Article**  
**(Town Administrator)**

To see if the Town will vote to hear and discuss the reports of town officers, boards, and committees; or otherwise act thereon.

**Article 3**  
**Elected Officials Salary**  
**(Town Administrator)**

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town of Natick for Fiscal Year 2024 (July 1, 2023 through June 30, 2024) as provided by Section 108 of Chapter 41 of the General Laws, as amended; or otherwise act thereon.

**Article 4**  
**Personnel Board Classification and Pay Plan**  
**(Town Administrator)**

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend Article 24 of the Natick Town By-Laws, specifically the Classification and Pay Plan referenced in Section 3, paragraph 3.10 therein, by adding, deleting or amending position titles; re-classifying positions to a different Grade; and/or effecting changes in the salary ranges as presently established; or otherwise act thereon.

**Article 5**  
**Collective Bargaining**  
**(Town Administrator)**

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide, to implement any Collective Bargaining Agreements between the Town of Natick and any recognized bargaining units of the Town; or otherwise act thereon.

**Article 6**  
**Home Rule Petition: Natick Superior Officers – Exemption from Civil Service**  
**(Town Administrator)**

To see if the Town will vote to authorize the Select Board to petition the General Court of the Commonwealth to enact special legislation, and to revoke prior special acts, pursuant to bargaining agreements between the Town of Natick and the New England Police Benevolent Association, Inc., Local 82, so that the position of Police Sergeant and Police Lieutenant in the Town of Natick shall be exempt from chapter 31 of the General Laws and related regulations applicable thereto, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition. However, the foregoing exemption shall not impair the civil service status of the present Police Sergeants and Police Lieutenants employed by the Police Department of the Town of Natick; or to otherwise act thereon.

**Article 7**  
**Omnibus Budget Articles**  
**(Town Administrator)**

**Town**

To determine what sum of money the Town will appropriate and raise, transfer from available funds for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2023 (July 1, 2022 through June 30, 2023) and to provide for a reserve fund for Fiscal Year 2023 and to see what budgets for Fiscal Year 2023 will be reduced to offset said additional appropriations;

To determine what sum of money the Town will appropriate and raise, or transfer from available funds for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2024 (July 1, 2023 through June 30, 2024) and to provide for a reserve fund for Fiscal Year 2024;

**Libraries**

To determine what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for Fiscal Year 2023 (July 1, 2022 through June 30, 2023);

To determine what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for Fiscal Year 2024 (July 1, 2023 through June 30, 2024);

To determine what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Bacon Free Library, for Fiscal Year 2023 (July 1, 2022 through June 30, 2023);

To determine what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Bacon Free Library, for Fiscal Year 2024 (July 1, 2023 through June 30, 2024);

or otherwise act thereon.

**Article 8**  
**Unpaid Bills**  
**(Town Administrator)**

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Natick; or otherwise act thereon.

**Article 9**  
**Transfer of Unexpended Bond Proceeds**  
**(Town Administrator)**

To see if the Town will authorize the transfer of unexpended proceeds from amounts previously borrowed to pay costs of various capital projects, which projects are now complete, and for which such funds are no longer needed, to pay costs of one or more capital projects; or otherwise act thereon.

**Article 10**  
**Rescind Authorized, Unissued Debt**  
**(Town Administrator)**

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

**Article 11**  
**Revolving Funds**  
**(Town Administrator)**

To see if the Town will vote on the limit on the total amount that may be expended from each revolving fund established pursuant to Chapter 44 section 53E ½ of the General Laws and Town by-law; or otherwise act thereon.

**Article 12**  
**Stabilization Funds and OPEB**  
**(Town Administrator)**

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Stabilization Fund established under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended;

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Operational Stabilization Fund established by vote of the 2011 Spring Annual Town Meeting under Article 4, as authorized by Chapter 40, Section 5B of the General Laws, as amended; To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Capital Stabilization Fund established by vote of the 2010 Fall Annual Town Meeting under Article 2, as authorized by Chapter 40, Section 5B of the General Laws, as amended;

#### **OPEB**

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for, the Other Post-Employment Benefits Liability Trust Fund established by vote of the 2017 Spring Annual Town Meeting under Article 15, pursuant to the provisions of Chapter 32B, Section 20 of the General Laws as amended by section 15 of Chapter 218 of the Acts of 2016;

or otherwise act thereon.

#### **Article 13 Capital Stabilization Account (Keefe Regional Technical School District Committee)**

To see if the Town will vote to authorize the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District Committee to establish a Capital Stabilization Account for the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District, pursuant to Section 16G½ of Chapter 71 of the Massachusetts General Laws, or take any action thereon or relative thereto.

#### **Article 14 PEG Access and Cable Related Fund (Town Administrator)**

To see what sum of money the Town will vote to appropriate from the PEG Access and Cable Related Fund, established by vote of 2019 Special Town Meeting #1 under Article 1, as authorized by Chapter 44, Section 53F ¾ of the General Laws, as amended, to fund PEG access programming, as well as certain other municipal cable related expenses; or otherwise act thereon.

#### **Article 15 Capital Equipment and Improvement (Town Administrator)**

To see what sum of money the Town will vote to raise and appropriate, borrow, transfer from available funds or otherwise provide to implement a Capital Improvement Program as may be required for capital equipment for the various departments of the Town of Natick; to protect the physical infrastructure of the Town of Natick, to add new physical infrastructure, or to improve

community assets; and further to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

**Article 16**  
**Adjust Asset Limit for Personal Exemption Clause 17D by Annual COLA**  
**(Board of Assessors)**

To see if the Town will vote to accept Massachusetts General Laws Chapter 59, Section 5, Clause 17E, which authorizes an annual increase in the asset (whole estate) limit for exemptions granted to senior citizens, surviving spouses and surviving minors under Massachusetts General Laws Chapter 59, Section 5, Clause 17D by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**Article 17**  
**Adjust Income and Asset Limits for Personal Exemption Clause 41C by Annual COLA**  
**(Board of Assessors)**

To see if the Town will vote to accept Massachusetts General Laws Chapter 59, Section 5, Clause 41D, which authorizes an annual increase in the income (gross receipts) and asset (whole estate) limits for exemptions granted to senior citizens under Massachusetts General Laws Chapter 59, Section 5, Clause 41C by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**Article 18**  
**Increase Personal Exemptions**  
**(Board of Assessors)**

To see if the Town will vote to amend the additional real estate tax exemption granted under Massachusetts General Laws Chapter 59, Section 5C1/2 to taxpayers who are granted personal exemptions on their domiciles under Massachusetts General Laws Chapter 59, Section 5, including certain blind persons, veterans, surviving spouses and seniors, to an additional exemption of up to 100 percent of the personal exemption to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2023.

**Article 19**  
**Home Rule Petition to Amend Chapter 336 of the Acts of 2004**  
**(Select Board)**

To see if the Town will vote to authorize the Select Board to petition the General Court to enact legislation in substantially the following Form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the general public objectives of this petition.

AN ACT TO AMEND CHAPTER 336 OF THE ACTS OF 2004 RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES OF CLUBS OR VETERANS' ORGANIZATIONS IN THE TOWN OF NATICK

*Be it enacted in the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1 Chapter 336 of the Acts of 2004, entitled AN ACT RELATIVE TO THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES OF CLUBS OR VETERANS' ORGANIZATIONS IN TOWN OF NATICK is hereby amended by deleting from Section 1 thereof the following language " All proceeds from any sales pursuant to a permit granted under this act shall be used solely for the license holder's charitable purposes".

As amended, said Section 1 shall read:

SECTION 1. Notwithstanding section 12 of chapter 138 of the General Laws or any other general or special law to the contrary, with respect to a club which is licensed under said section 12 of said chapter 138 to sell alcoholic beverages in the town of Natick, the local licensing authority of said town may, subject to the approval of the alcoholic beverages control commission, grant a permit to the holder of a club license to allow functions or fundraising activities held at the licensed premises or any part thereof to serve food and sell or dispense alcoholic beverages lawfully possessed by such licensee under that license to persons other than members of the club, to be consumed on the licensed premises, if such functions or fundraising activities are sponsored by a member of the club, who shall be present at the functions or fundraising activities, and subject to such conditions as the licensing authority may impose and to regulations made by the licensing authority. The application procedures under section 15A of said chapter 138 shall apply to permits for the sale of alcoholic beverages issued under this act. A permit issued under this act shall expire not later than December 31 of the year of issue, but shall be subject to revocation or cancellation within its term.

SECTION 2 This act shall take effect upon its passage

or otherwise act thereon.

**Article 20**  
**Amend the Town of Natick By-Laws: Create New Committee**  
**(Town Administrator)**

To see if the Town will vote to amend the General Bylaws of the Town of Natick to establish a Community Preservation Committee in accordance with the provisions of M.G.L. c. 44B.

**Article 21**  
**Charter and ByLaw Review Committee Report and Counsel**  
**(Charter and By-Law Review Committee)**

“To see what action the Town will take to hear and to discuss a report of the Charter and ByLaw Review Committee,

To see what action the Town Meeting will take to authorize and direct retention of special counsel to assist the Charter and ByLaw Review Committee and

To see what sums of money the Town will raise, transfer or appropriate for the purpose of such special counsel

Or otherwise act thereon.”

**Article 22**  
**Disposition of 0 Shore Terrace and 4 Pine Ridge Road**  
**(Select Board)**

To see if the Town will vote to authorize the Select Board to convey through sale or lease, all or a portion of town-owned land located at 0 Shore Terrace (Assessors Map No. 21-00000013) and 4 Pine Ridge Road (Assessors Map No. 21-00000026) on any terms and conditions established by the Select Board deemed appropriate in the best interests of the Town. Said real estate disposition shall be completed in compliance with General Law Chapter 30B to the extent applicable, and further the Select Board and other town officials shall be authorized to take all actions necessary to carry out this Article, or otherwise act thereon.

Said land is described as all or a portion of land situated in the Town of Natick, in the County of Middlesex, State of Massachusetts, more particularly described in deeds recorded in the Middlesex South Registry of Deeds, Book 7086, Page 478 for 0 Shore Terrace and Book 12943, Page 390 for 4 Pine Ridge Road. The Town’s interest in the parcels are set forth in a Judgment in Tax Lien Case, recorded at Book 71741, Page 598, Middlesex South Registry of Deeds.

**Article 23**  
**Amend the Town of Natick By-Law 79A**  
**(Conservation Commission)**

To see if the Town will vote to amend the existing Stormwater and Erosion Control Bylaw, as codified in Article 79A of the Natick Town Bylaws, to improve the Town’s regulation of land disturbance activity, and streamline the administration of the Bylaw.

**Article 24**  
**Amend Zoning Bylaw: Establish Center Gateway Zoning District**  
**(Planning Board)**

To see if the Town will vote to amend the Natick Zoning Bylaw and Zoning Map to create a new zoning district (in the area of East Central Street/Union Street/Grant Street), which will serve as a transition between the Downtown Mixed-use (DM) Zoning District and the surrounding zoning districts. Amend the Zoning Bylaw, including, but not limited to creating a new Section III-EE Center Gateway (CG) Zoning District, and further amend the Zoning Bylaw to support the creation of the new CG Zoning District; and to amend the Natick Zoning Map to create a new Center Gateway Zoning District, as shown on the map on file in the Town Clerk's Office; or otherwise act thereon.

**Article 25**  
**Amend Zoning Bylaw: Use Regulations Schedule**  
**(Planning Board)**

To see if the Town will vote to amend the Natick Zoning Bylaw, Section III-A.1 Permitted Uses in Districts, and Section III-A.2 Use Regulations Schedule; or otherwise act thereon.

**Article 26**  
**Amend Zoning Bylaw: Open Space Cluster Development**  
**(Planning Board)**

To see if the Town will vote to amend the Natick Zoning Bylaw, including, but not limited to deleting the existing Section III-F Cluster Development Allowed in Certain Districts and III-F.1 Single-Family Residential Cluster Option – RSA, RSB, and RSC Districts in their entirety; adding a new Section III-F Open Space Cluster Development (OSRD); amending Section 200 Definitions; deleting Section III-A.2(a) Residential Cluster Regulations Schedule in its entirety; and further amending the Zoning Bylaw to support the deletion of the existing Sections III-F and III-F.1 and the inclusion of a new Section III-F; or otherwise, act thereon.

**Article 27**  
**Amend Zoning Bylaw: Inclusionary Housing**  
**(Planning Board)**

To see if the Town will vote to amend the Natick Zoning Bylaw, including, but not limited to amending Section V-J Inclusionary Affordable Housing Requirements; adding a new Section III.A.6.D Inclusionary Cluster Residential Development (ICRD); amending Section 200 Definitions; and further amending the Zoning Bylaw to clarify and separate Inclusionary Housing requirements and optional Inclusionary Cluster Residential Development; or otherwise, act thereon

**Article 28**  
**Amend Zoning Bylaw: Highway Mixed-Use-I(HM-I)**  
**(Town Administrator)**

To see if the Town will vote to amend the Natick Zoning Bylaw: Section III-B Highway Mixed-use (HM-I) District Use Regulations; Section IV.B Intensity Regulations by Zoning District amending the Line for In-II\*\* & HM-1, and further adding a new Line for HM-I; Section 324. by adding a new subsection for Intensity Regulations for Highway Mixed Use – I (HM-I); Section 325 by adding a new subsection for Open Space Requirements for Highway Mixed Use – I (HM-I) Zoning District; Section 326 by adding a new subsection for Dimensional Regulations for Highway Mixed Use – I (HM-I) Zoning District; and making non-substantive changes in the description of uses; or otherwise, act thereon.

**Article 29**  
**Amend Zoning Map: Highway Mixed-Use – I(HM-I)**  
**(Town Administrator)**

To see if the Town will vote to amend the Natick Zoning Map by expanding the HM-I Zoning District to incorporate parcels 17-00000008 and 17-0000005C, in addition from the property frontage of 17-0000009A, 17-0000009B, 17-0000005C, 17-0000005A to the centerlines of the fronting streets or ways, as shown on the map; and making non-substantive changes in the description of uses or otherwise, act thereon.

**Article 30**  
**Expansion of Assisted Living Overlay Option Plan (ALoop)**  
**(George L. Richards, et al.)**

To see if the Town will vote to amend the Zoning Map to expand the ALoop Overlay District to 0 (R) East Central Street (38-0000001B and 38-0000001C) and 0 Dorset Lane (38-0000001AA); further to amend the Zoning Bylaw, Section III-I to include above listed properties in the ALoop Overlay District, and by further amending applicable sections of the Zoning Bylaw to update such inclusion where necessary; or otherwise, act thereon.

**Article 31**  
**Re-Zoning of 24 N Main St., 26 N Main St., 30 N Main St.**  
**(Kenneth B. Phillips, et al.)**

To see what action(s) the Town will take to re-zone the properties location at 24 N Main St., Parcel ID: 43-00000468; 26 N Main St. and 30 N Main St., Parcel ID: 35-00000039, from Residential General (RG) to Downtown Mixed Use (DM), or Commercial II(CII), or Center Gateway (CG), or otherwise act thereon.”

**Article 32**  
**New Town Seal**  
**(Town Seal Review Committee)**

To see what action the Town will take to hear and discuss the report of the Town Seal Review Committee, to approve a new Town Seal, to procure new embossers, to discharge the committee, or otherwise act thereon.

**Article 33**  
**Charles River Dam Advisory Committee Report**  
**(Saul Beaumont, et al.)**

To hear and to discuss the final report of the Charles River Dam Advisory Committee, or otherwise act thereon.

**Article 34**  
**Charles River Dam**  
**(Saul Beaumont, et al.)**

To see what action the Town will take to request the Select Board to initiate repairs of the Natick Charles River Dam to the extent of the funding appropriated in the 2018 SATM, Article 14 Motion B, and in the 2019 SATM, Article 15, Motion B for that purpose.

**Article 35**  
**Dam Preservation Committee**  
**(Michael Trinidad, et al.)**

To see if the Town will vote:

We, the undersigned registered voters of the Town of Natick, respectfully request the establishment of a Dam Preservation Committee (DPC) to investigate and evaluate the feasibility of preserving and repairing the South Natick Dam. The purpose of this committee is to explore and develop a comprehensive plan for the preservation and repair of the dam, with the goal of maintaining its historical, cultural, environmental, and recreational value for future generations.

While we acknowledge that the Board of Selectmen voted in favor of dam removal, we believe there are many unknowns regarding the feasibility and consequences of this action. Moreover, the community needs a viable “Option B” should dam removal prove to be impractical, expensive, or ineffective. The DPC will provide the community with a comprehensive assessment of the costs, benefits, and risks of the various options and a recommended plan for the preservation and repair of the dam.

The DPC will consist of seven members with diverse expertise in the fields of engineering, environmental science, historic preservation, finance, and public policy. To ensure a balanced representation, the majority of the members will not be current town employees or officials, and no member of the DPC will have served on the previous committee that recommended dam

removal. In addition, two members will be chosen by Natick residents who have worked with [savenatickdam.org](http://savenatickdam.org) to ensure the interests of the community are adequately represented. The Board of Selectmen will appoint the remaining five members, taking into account the recommendations of the [savenatickdam.org](http://savenatickdam.org) representatives and the diverse expertise required for the committee.

The duties of the DPC will include but not be limited to:

Commissioning an independent engineering firm to evaluate the structural integrity of the dam, with a focus on value engineering the previous design and minimizing the cost and disruption of existing trees. The engineering firm will not have been involved in the previous design to provide a fresh look at the previous engineering work. The evaluation will identify necessary repairs and upgrades to meet safety and environmental standards while taking into consideration the preservation of the surrounding natural environment.

Commissioning a survey to gather feedback from the broader Natick community, including the Nipmuc, Praying, and other native Indian groups, regarding the historical, cultural, environmental, and recreational value of the dam.

Commissioning an independent analysis to compare and contrast the findings and recommendations of the GZA and Stantec reports.

Exploring alternative uses for the existing canal, including the possibility of a fish passage, as well as other ideas that make sense for the preservation and repair of the dam.

Developing a comprehensive plan for the preservation and repair of the dam, including the identification of funding sources, cost estimates, and timelines.

The DPC will complete its work within 12 months of its formation and will submit its final report and recommendations to the Board of Selectmen and the community at large. The DPC will be authorized to spend up to \$150,000 of the previously appropriated funds for dam repair to hire professionals to refine and value engineer the dam repair costs, provide expert testimony, and conduct the studies and surveys necessary to fulfill its duties.

We respectfully request that this warrant be included in the warrant for the next Annual Town Meeting, and we urge our fellow citizens to support this important initiative for the preservation and enhancement of Natick's cultural, historical, and environmental heritage.

Or otherwise, act thereon.

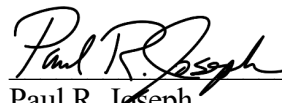
You are directed to serve this Warrant by causing an attested copy of said Warrant to be posted in the Post Office in said Natick, and at the following public places in said Natick, to wit: Precinct 1: Reliable Cleaners, 214 West Central Street; Precinct 2: Cole Recreation Center, 179 Boden Lane; Precinct 3: Kennedy Middle School, Mill Street; Precinct 4: 2 Summer St.; Precinct 5: Wilson Middle School, Rutledge Road; Precinct 6: East Natick Fire Station, Rhode Island Avenue; Precinct 7: Lilja Elementary School, Bacon Street; Precinct 8: Natick High School, 15 West Street; Precinct 9: Community Senior Center, 117 East Central Street; and Precinct 10: Memorial Elementary School, 107 Eliot Street.

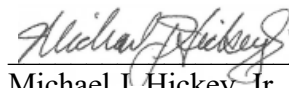
Above locations being at least one public place in each Precinct, in the Town of Natick, and also posted in the Natick U.S. Post Office, Town Hall, Bacon Free Library and Morse Institute Library seven days at least before April 25, 2023; also by causing the titles of the articles on the Warrant for the 2023 Spring Annual Town Meeting to be published once in "*The Metrowest Daily News*" with notice of availability of an attested copy of said Warrant, said Newspaper published in the Town of Natick and said publication to be March 2, 2023.

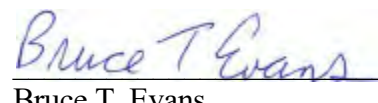
Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for holding said meeting.


Given under our hands this 27<sup>th</sup> day of February, 2023.


***Select Board for the Town of Natick***

  
Paul R. Joseph  
Chair

  
Michael J. Hickey, Jr.  
Vice Chair

  
Bruce T. Evans  
Clerk

  
Kathryn Coughlin  
Member

  
Richard Sidney  
Member

Certified copies of the Warrant are available at the Office of the Town Clerk, Natick Town Hall, 13 East Central St., Natick, MA between the hours of 8:00 a.m. - 5:00 p.m., Monday through Wednesday; 8:00 a.m.- 7:00 p.m. on Thursday; and 8:00 a.m.-12:30 p.m. on Friday. The Warrant may also be accessed from the Town website [www.natickma.gov](http://www.natickma.gov).